PLACER COUNTY GRAND JURY

2019-2020 FINAL REPORT

STATE OF CALIFORNIA

June 30, 2020

Cover Photos

(Clockwise from top left)
Wood Boat Concourse, Tahoe City, CA (public domain photo)
Historic Courthouse, Auburn, CA (Photo by Richard Ferguson)
Foresthill Bridge, Foresthill, CA (Photo by Richard Ferguson)
Cosmos Sculpture, Roseville, CA (Photo by Richard Ferguson)
Southern Pacific Train, Dutch Flat, CA (public domain photo)
Squaw Valley Ski Resort, Squaw Valley, CA (public domain photo)
Miner Sculpture, Auburn, CA (Photo by Richard Ferguson)

PLACER COUNTY GRAND JURY

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The Honorable Alan V. Pineschi
Presiding Judge
Superior Court County of Placer
P.O. Box 619072
Roseville, CA 95661

The Honorable Suzanne Gazzaniga
Advising Judge
Superior Court County of Placer
P.O. Box 619072
Roseville, CA 95661

and Citizens of Placer County

Subject: 2019–2020 Grand Jury Final Report

Dear Judge Pineschi, Judge Gazzaniga, and Citizens of Placer County:

When the Placer County Grand Jury was empaneled last July, we could never have imagined our current circumstances. Then, few (if any) among us had heard of Coronavirus or COVID-19. Now, the 2019–2020 panel is nearing the end of its tenure and the pandemic has not only dramatically changed our community and our lives, it has completely altered our work as members of the Placer County Grand Jury.

Despite the obstacles of the requirements to stay at home and maintain social distancing, the grand jury continued to focus on its assigned tasks. By virtue of the pandemic's effects on community health and workplace functions, some investigations could not be completed. Nevertheless, the grand jury worked diligently to complete those reports that could be completed and to produce its Final Report. Placer County provided jurors with the laptops, network capability, and software required to continue confidential meetings and committee work. Having networked laptops for each juror proved essential to these endeavors.

In light of these circumstances, I am especially proud to present the Final Report of the 2019–2020 Placer County Grand Jury. On behalf of the jurors, I would like to acknowledge the guidance provided by our Advising Judge, the Honorable Suzanne Gazzaniga, and our Presiding Judge, the Honorable Alan V. Pineschi. We also appreciate the assistance of the County Counsel's Office, specifically, Senior Deputy Renju Jacob. Finally, we extend our sincere thanks

to the Grand Jury Coordinator, Rosalinda Cruz, for her gracious assistance throughout the year and to our Office Manager, Shane Campbell-Kaslin, for all of the support she provided during the year.

In July of 2019, nineteen Placer County residents volunteered and swore to serve as the 2019–2020 Placer County Grand Jury. It has been my honor to serve with this outstanding group of citizens who contributed their time, talents, and experience in carrying out our oversight of city and county governments, school districts, and special districts.

The 2019–2020 Final Report chronicles those investigations required by law, those requested by citizens, and those internally generated by the Placer County Grand Jury. The investigations included here commenced as early as last July, and we recognize that some of the concerns addressed may have been resolved by the time of publication.

Sincerely,

Walter Moore, Foreperson
2019–2020 Placer County Grand Jury

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The 2019–2020 Placer County Grand Jury is issuing its reports during the unprecedented conditions of the COVID-19 pandemic. We are fully aware that the county is in a unique situation and that there are public health concerns, operational difficulties, and financial challenges throughout the county that have a greater claim to government's attention right now than the important but less urgent issues addressed by this grand jury.

Agencies required to respond to our reports generally have no more than 90 days to issue a response, according to the California Penal Code. It is not within our power to waive or extend these deadlines. We recognize that this deadline could be burdensome given the current situation.

It is our hope and expectation that Placer County's governmental agencies will eventually be able to return to normal operations and address the issues raised by this grand jury's reports.

We are confident that, in due course, Placer County will come through this unique situation as strong as ever.

2019-2020 Placer County Grand Jury

***Placer County Historic Courthouse**. Blue light to honor our first responders and medical personnel working hard to keep us all safe during the COVID-19 pandemic. (Photo by Richard Ferguson)*

Picturing the Grand Jury

The Placer County Grand Jury Final Report customarily includes a group photo picturing each member of the year's full panel. At the time this Final Report was being compiled, however, people across the United States and around the world were coping with the COVID-19 pandemic. Californians were told to stay at home whenever possible, wear masks in public, maintain physical distancing, and avoid congregating, even in small groups. Those conditions made it impracticable to take a group photo.

In the alternative, we have opted for a virtual group image. Picture in your mind, if you will, individuals standing on the courthouse steps.

With that image, we offer a simple message:

Thank you, people of Placer County
for granting us the privilege to serve on the 2019-2020 Placer County Grand Jury.

In these challenging and complex times, we wish you well,
and we hope all of you will be courteous to all who share this place.

MEMBERS OF THE 2019-2020 GRAND JURY

Joan Beesley	Ken Brown	Lori Brown
Allon Corron	Michael Deal	Barbara Ferguson
Jim Ferguson	Dana Flaten	John Graham
Mary Griffith	Gary Haynes	Walter Moore
James Sponzo	Virginia Steele-Pirie	Carol Witten

Introduction to the Grand Jury

What is the Grand Jury?

The grand jury is an investigatory body with the authority to act as a watchdog over local government, to investigate citizen complaints, and to assist in criminal matters at the request of the district attorney.

The grand jury is part of the county judicial system as authorized by the California State Constitution. It is advised by the Placer County Superior Court and is not accountable to elected officials or government employees. Its findings and recommendations are unbiased and impartial. Grand jurors are sworn to secrecy and, other than final reports, their work is kept strictly confidential.

History

The jury system is rooted in English common law and date from the eleventh century. In 1215, the Magna Carta stated that no free man would be "imprisoned or dispossessed or exiled or in any way destroyed ...except by the lawful judgment of his peers ..."

In 1635, the Massachusetts Bay Colony impaneled the first grand jury in North America to consider cases of murder, robbery and wife beating. The U.S. Constitution's Fifth Amendment and the California Constitution Article 1 call for grand juries. Grand juries were established throughout California during the early years of statehood. As constituted today, criminal and civil grand juries are a part of the judicial branch of government and function as arms of the court system.

Investigations

The grand jury is an investigatory body created for the protection of society and the enforcement of the law. The grand jury in California is unusual because its duties include investigation of local and county governments as provided by statutes passed in 1880.

The primary duty of the grand jury is to evaluate local government entities through a systematic fact-finding process. The objective of the investigations is to produce beneficial reports that persuade local officials to run agencies more effectively and efficiently. The final report is the result of investigative efforts and is the only public record of that endeavor.

Anyone may ask a grand jury to investigate a civil issue that falls within the grand jury's jurisdiction. Whether it chooses to investigate such a complaint is entirely in the jury's discretion and may be affected by workload, resource limitations, or jurisdictional issues.

By law, all proceedings of a grand jury are confidential. Findings and recommendations are published in its final report. After a final report is published, the official or governing body of an agency covered in the report must respond to the grand jury within a given period of time as prescribed by California law. Elected officers or agency heads must respond within 60 days. Governing bodies of public agencies must respond within 90 days. The following year's grand jury publishes the responses to the final report.

Upon occasion, the district attorney asks a grand jury to hold hearings in criminal investigations to determine whether evidence presented by the district attorney is sufficient to indict an individual, who would then stand trial in court. A minimum of twelve grand jurors must vote for an indictment in any criminal proceeding.

Placer County Grand Jury Committees

The 2019-2020 Placer County Grand Jury served a one-year term from July 1, 2019 through June 30, 2020. In performing its duties, it examined county government, special districts, school districts, and city governments and inspected jails and holding facilities.

Most grand jury work is done by committee. A typical juror serves on three committees and may be an officer on two of those committees. Committees usually meet at least twice each month.

Audit and Finance

This committee may audit county government offices, departments, agencies, and districts as needed and as mandated by law. It also reviews monthly grand jury expenses against the budget.

Cities

This committee may investigate incorporated cities and towns within Placer County. The six cities and towns are Auburn, Colfax, Lincoln, Loomis, Rocklin, and Roseville.

Continuity and Editorial

This committee is responsible for ensuring that the written reports of the grand jury are factual, clear, concise and readable. Editing includes proper punctuation, spelling, grammar and format. This committee also leads the ongoing task of updating the Placer County Grand Jury Handbook so that subsequent grand juries may make a smooth transition into a new term.

County Administration

The scope of this committee is all Placer County government not specifically assigned to another committee. This includes investigations of appointed boards and commissions, the Board of Supervisors, Assessor, County Executive Office, and others.

Criminal Justice

This committee is mandated to inspect eight jails and holding facilities in Placer County each year. It also may investigate matters concerning criminal justice.

Health and Welfare

This committee investigates issues related to the social services of Placer County. In addition, it inspects the Juvenile Detention Facility.

Schools and Libraries
This committee investigates public educational institutions and libraries. It has no jurisdiction over school policies or personnel.

Special Districts
This committee investigates special districts, agencies, boards, commissions, and joint powers agencies serving Placer County. Examples of these special districts include water agencies, cemetery districts, fire districts, and hospitals.

Jurisdiction
The areas within the investigatory jurisdiction of the Placer County Grand Jury include:

- persons imprisoned in the county jail on a criminal charge and not indicted;
- the condition and management of the public jails within the county;
- willful or corrupt misconduct in office of public officers of every description within the county;
- county government, city government, special districts, school districts, agencies, and authorities;
- Criminal hearings upon request of the district attorney.

The areas which are not within Placer County Grand Jury jurisdiction include:

- Federal agencies;
- State agencies;
- Superior court system;
- School district personnel records, curriculum, and policy.

Grand Juror Qualifications
Prospective grand jurors must possess the following qualifications per California Penal Code § 893:

- applicant is a citizen of the United States, 18 years or older, who has been a resident o f Placer County for one year immediately before being selected and sworn in;
- applicant is in possession of his or her natural faculties, of ordinary intelligence, of sound judgment, and of fair character;
- applicant is possessed of sufficient knowledge of the English language.

A person is not allowed to serve as a grand juror if:

- serving as a trial juror in any California court;
- convicted of a felony;
- discharged as a grand juror in any court of this state within one year;
- convicted of malfeasance in office or any felony or other high crime; or
- serving as an elected public officer.

Desirable qualifications for a grand juror include:

- computer and Internet communication skills;
- good health;
- open-minded with concern for the views of others;
- ability to work with others;
- genuine interest in community affairs; and
- investigative skills and an ability to write reports.

Juror Selection

In the spring of each year, the Presiding Judge of the Placer County Superior Court solicits applications from citizens of the county. Applicants should expect that a criminal records check will be conducted. Applications are reviewed and an interview is scheduled with the presiding and supervising judges as well as the foreperson of the outgoing grand jury.

After the interview process, prospective applicants are required to appear for the final selection which is held in a Placer County Superior Court courtroom. With outgoing grand jurors in attendance, the court clerk draws nineteen names at random. A minimum of ten names are drawn to form a list of alternate jurors.

The presiding judge then swears in the new nineteen grand jury members and gives them a description of their duties and responsibilities. The jurors begin a one-year term on July 1.

Commitment

Persons selected for grand jury service can expect to serve forty or more hours per month for a period of one year from July 1 through June 30. Jurors may opt to serve a second consecutive year, if approved by the court.

Remuneration

Grand jurors receive a nominal payment for meetings they attend and are reimbursed for mileage to attend meetings and training.

Orientation

New jurors are encouraged to attend an orientation program about grand jury functions and receive information about county, city, and special district governments.

Why Become a Grand Juror?

Those who volunteer and are accepted for grand jury service should feel privileged to be selected. They enter this service with interest and curiosity to learn more about the administration and operation of Placer County government. Serving as a grand juror requires many hours and serious effort and reflects a generous commitment to public service.

How to Apply to Serve as a Grand Juror

Download a Prospective County Grand Jury Application, available at http://www.PlacerGrandJury.org. Fill it out and follow the directions at the end of the application.

Grand Jury Reports

The Placer County Superior Court maintains web pages for the grand jury on its website. Past and present final reports, and responses to those final reports, may be found at http://www.PlacerGrandJury.org.

How to Submit a Confidential Citizen Complaint

All complaints must be submitted in writing. A confidential citizen complaint form is available online at http://www.PlacerGrandJury.org and may be submitted electronically. The form may also be mailed, faxed, or hand-delivered to the grand jury office at the address below. The citizen will receive a letter acknowledging receipt of the complaint.

All grand jury documents, including citizen complaints, are secret and cannot be subpoenaed in court or revealed to the public. Complainants' names are held in strictest confidence.

How to Contact the Grand Jury

By Mail: Placer CountyGrand Jury
11532 B Avenue
Auburn, CA 95603

In Person: Materials can be placed in a drop box located by the entrance door to the above address.

Online: http://www.PlacerGrandJury.org

By Phone: (530) 886-5200

By Fax: (530) 886-5201

INSTRUCTIONS FOR RESPONDENTS

The legal requirements affecting respondents and responses to Grand Jury findings and recommendations are contained in California Penal Code § 933.05. The full text of the law is provided at the end of this document.

Two different time periods for responses, and to whom you must respond is defined in California Penal Code § 933(c). They are as follows:

Type of Agency	Time Frame	To Whom
Government Boards	Ninety (90) Days	• Presiding Judge of the Superior Court
Elective Office or Agency Head	Sixty (60) Days	• Presiding Judge of the Superior Court • Information copy to Board of Supervisors

An original signed copy of the response must be provided to both of the following:

1. Presiding Judge of the Placer County Superior Court at the address listed below:

   The Honorable Alan V. Pineschi
   Presiding Judge of the Superior Court
   County of Placer
   P.O. Box 619072
   Roseville, CA 95661

2. Placer County Grand Jury at the address listed below:

   Placer County Grand Jury
   11532 B Avenue
   Auburn, CA 5603

When responding to more than one report, respondents must respond to each report separately.

You are encouraged to use the Response to Grand Jury Report Form, attached, to help format and organize your response. An electronic version of the form is available upon request from the Grand Jury.

RESPONSE TO GRAND JURY REPORT FORM

Report Title: _____

Report Date: _____

Response By: _____ **Title:** _____

FINDINGS

- I (we) agree with the findings, numbered: _____.
- I (we) disagree wholly or partially with the findings, numbered: _____.

  (Describe here or attach a statement specifying any portions of the findings that are disputed or not applicable; include an explanation of the reasons therefore.)

RECOMMENDATIONS

- Recommendations numbered _____ *have been* implemented.

  (Describe here or attach a summary statement regarding the implemented actions.)

- Recommendations numbered _____ *have not yet been* implemented, but will be implemented in the future.

  (Per Penal Code § 933.05(b)(2), a time frame for implementation must be included. Describe here or in an attachment.)

- Recommendations numbered _____ *require further analysis*.

  (Describe here or 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 (6) months from the date of publication of the grand jury report.)

- Recommendations numbered _____ *will not be* implemented because they are not warranted or are not reasonable.

  (Describe here or attach an explanation.)

Date: _____ **Signed:** _____

Number of pages attached _____

CALIFORNIA PENAL CODE
Code § 933.05

(a) For purposes of subdivision (b) of Penal Code § 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.

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

(b) For purposes of subdivision (b) of Penal Code § 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in the future, ***with a timeframe for implementation***.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.

(c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

(d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.

(e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.

(f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

Final Report Summaries

Access to Agendas

California enacted Assembly Bill 2257, codified in California Government Code § 54954.2 requiring all legislative bodies, such as city councils and boards of supervisors, to have a prominent, direct link to their agenda on their website's homepage and other specific requirements related to the listing of that agenda after January 1, 2019. The Placer County Grand Jury investigated compliance with this legislation for the Placer County Board of Supervisors, the City Councils of Auburn, Colfax, Lincoln, Roseville, and Rocklin and the Town Council of Loomis. We found that only the City of Colfax was fully compliant as of February 2020. The grand jury recommends that the non-compliant legislative bodies update their websites to comply with the current requirements.

Pioneer Community Energy

Pioneer Community Energy is a Community Choice Aggregator, operating as a Joint Powers Authority to purchase wholesale electrical power to be delivered and billed to customers by PG&E.

Pioneer's Executive Director serves simultaneously as Pioneer Governing Board Secretary and as the elected Treasurer-Tax Collector of Placer County. Pioneer is understaffed with most work done by the Treasurer-Tax Collector Office employees or outside consultants. Delays in decision-making by the Board of Directors have impacted financial performance and organizational effectiveness.

The grand jury recommends that the Governing Board hire a qualified permanent Executive Director who is not an elected public official. Together, the Board and Executive Director should identify critical resources and create a staffing plan to reduce dependence on Placer County personnel and outside consultants. The Board should create a comprehensive strategic plan to guide its decisions for establishing stable finances and meeting existing and future challenges.

As the grand jury concludes this investigation, the consequences of the COVID-19 pandemic are unknown but could include revenue losses due to reductions in power usage, customers unable to make timely payments, and increases in uncollectable accounts.

Placer County Information Technology

Information technology, hereafter referred to as IT, is integral to Placer County's delivery of services to its citizens and for its internal operations. Many offices and departments contain IT resources which are outside the view of the centralized Department of Information Technology. Because of this, it is not possible to understand what Placer County spends on IT.

Proper governance of IT would ensure full transparency of costs and effective use of taxpayer funds. Regular audits and updated processes and procedures will safeguard both the information and the resources that the county needs to provide services to its citizens.

The Placer County Grand Jury recommends that Placer County implement processes to achieve complete transparency of IT costs and strengthen governance so that its citizens have greater confidence in the use of taxpayer funds for IT.

School Board Agendas

California enacted Assembly Bill 2257, codified in California Code § 54954.2 requiring all legislative bodies to have a prominent, direct link to their board agenda on their website's homepage after January 1, 2019. The Placer County Grand Jury investigated compliance with this legislation for the Placer County Office of Education and sixteen school districts in Placer County. We found twelve districts and the Office of Education are compliant; four are not as of March 2020. The grand jury recommends these four districts update their websites to the current requirements.

Placer County Jails and Holding Facilities

This report summarizes the Placer County Grand Jury inspections conducted at the six Placer County jails and holding facilities during the months of October and November 2019.

Overall, the grand jury found these facilities to be secure, orderly and well-run.

Rocklin Police Department Holding Facility

On January 9, 2020, the Placer County Grand Jury inspected the Rocklin Police Department holding facility located at 4080 Rocklin Road, Rocklin. The grand jury found the facility to be clean and well-managed.

Placer County Juvenile Detention Facility

On Wednesday, October 23, 2019, the Placer County Grand Jury inspected the Placer County Juvenile Detention Facility located at 11260 B Avenue (Dewitt Center) in Auburn. The grand jury found the facility to be clean, well-maintained, and well-managed.

The detention facility staff was knowledgeable of the legal requirements of youth detention under state and Federal law. The staff is responsible for encouraging goalsetting, substance abuse prevention, rehabilitation, and reduction of recidivism. Through Placer County Office of Education (PCOE), youths in detention are encouraged to complete credits for high school diploma or prepare for the diploma equivalency exam, to increase employability, and to learn job-seeking skills.

Access to Agendas

County Board of Supervisors, City and Town Councils

Access to Agendas: County Board of Supervisors, City and Town Councils

Summary

California enacted Assembly Bill 2257, codified in California Government Code § 54954.2 requiring all legislative bodies, such as city councils and boards of supervisors, to have a prominent, direct link to their agenda on their website's homepage and other specific requirements related to the listing of that agenda after January 1, 2019. The Placer County Grand Jury investigated compliance with this legislation for the Placer County Board of Supervisors, the City Councils of Auburn, Colfax, Lincoln, Roseville, and Rocklin and the Town Council of Loomis. We found that only the City of Colfax was fully compliant as of February 2020. The grand jury recommends that the non-compliant legislative bodies update their websites to comply with the current requirements.

Methodology

The grand jury viewed the websites for Placer County, Auburn, Colfax, Lincoln, Roseville, Rocklin, and Loomis to determine if each complies with the new legislation. Each website was viewed by the grand jury numerous times over a three-week period during February to verify and validate the findings.

Discussion

The California State Legislature passed The Ralph M. Brown Act (California Government Code § 54950) in 1953. The Brown Act applies to the legislative bodies of local agencies in California, including city and county government agencies, school districts, and special districts. Under current law, the legislative body of a local agency must post an agenda that specifies the time and location of an upcoming meeting and briefly describes the items of business to be discussed at least 72 hours before a regular meeting or 24 hours before a special meeting. The agenda must be posted in a physical location freely accessible to members of the public and on the agency's website, if it has one.

In 2016, the California State Legislature enacted Assembly Bill 2257 (California Government Code § 54954.2) updating the Brown Act with new requirements for posting meeting agendas on local agency websites. It also requires the agenda be retrievable, downloadable, searchable and indexable, and adds additional requirements governing the location, platform, and methods by which an agenda must be accessible.

The grand jury looked at how easy it is for the public to access the meeting agendas for the county board of supervisors and the councils of Auburn, Colfax, Lincoln, Roseville, Rocklin, and Loomis.

The first element of interest is access to the agenda itself. The law requires there to be a prominent, direct link to the agenda on the home page.

There are two similar, specific requirements based on whether or not the legislative body uses an integrated agenda management platform (IAMP) to manage the content of their website:

- California Government Code § 54954.2. (a) (2) (A) requires that a prominent, direct link is on the home page and not within a contextual menu.
- For legislative bodies using an IAMP, California Government Code § 54954.2. (a) (2) (C) (i) requires a prominent, direct link to the IAMP list of agendas on the home page and not within a contextual menu.

For those agencies using an IAMP, the most recent agenda must be shown at the top of a list of agendas. This requirement does not apply to legislative bodies not using an IAMP, because the direct link will display the current agenda.

The grand jury interprets the language in AB 2257 to mean the following:

- *Retrievable:* the agenda can be viewed using commonly available web browsers.
- *Downloadable:* the agenda can be downloaded to a computer.
- *Searchable:* the agenda document can be searched for specific terms using the search-on-the-page function provided in browsers.
- *Indexable:* commonly used search engines will respond to a search with the agenda for that legislative body.

The grand jury found that Placer County, Auburn, Lincoln, Roseville and Rocklin each use an IAMP. Neither Colfax nor Loomis appears to use an IAMP.

The grand jury found that the Colfax website complies with AB 2257. The grand jury acknowledges and commends the city for providing additional value to its citizens by offering a subscription service to the agendas.

Placer County's home page contains a prominent, direct agenda link under the Board of Supervisors section on a button labeled "Agendas & Summaries"; however, the list of agendas does not list the most recent agenda first as required.

Prominent, Direct Link

The grand jury found that the home pages for Auburn, Lincoln, Roseville, Rocklin, and Loomis do not contain a prominent, direct link to the current agenda or an agenda list.

- Auburn provides a link to a page that lists meetings for the city council and other city agencies. A second click is required to open the agenda from the list.
- Lincoln provides a direct link to the agenda, which we commend, but it is in a small, gray font at the top of the page and therefore not prominent.
- The Roseville and Rocklin home pages each provide a link to a page with an array of different city functions including the city council. Clicking on the city council link results in having to scroll down to a list of meetings for multiple city agencies including the city council. Though a search function is available at the top of that page, access to the city council agenda is not a simple direct link as required.

Agenda Listing Order

The grand jury found that Auburn, Lincoln, Roseville and Rocklin technically comply with the requirement of listing the most recent agenda first. However, these cities mix the agendas for the city council with the agendas for other city agencies, such as the planning commission. A search capability is provided to allow narrowing the display of agendas, but this occupies most of the page when it loads, making it more difficult to find the city council agenda. The grand jury interprets this as contrary to the intent of AB 2257.

Searchability

The grand jury found that the agenda posted on the website for Loomis does not comply with the section of AB 2257 that requires the agenda be electronically searchable. The Loomis agenda is a document type that is not searchable for specific terms using the search-on-the-page function provided in all browsers. The other governing bodies comply with this requirement.

Indexability

The grand jury found that indexing of agendas may not occur due to the nature of search engines.

The agenda for any *specific date* may not be indexed and found with commonly used search engines such as Google, DuckDuckGo, or Bing. The Brown Act requires that the agenda be available at least 72 hours prior to the meeting. This is insufficient time to guarantee that the agenda would be found by search engines.

Searching for an agenda of a specific date did not find that specific agenda, confirming the grand jury's understanding of the limits of search engines within the 72-hour posting requirement. Based on these results, the grand jury concludes that Placer County and the local councils all meet the intent of being indexable.

Conclusion

The grand jury found that the website for Colfax complies with AB 2257 and commends the city for their efforts to stay updated with the current law and to provide additional value to the citizens by offering an agenda subscription service.

The websites of the other legislative bodies do not comply with AB 2257.

Compliance Chart

Organization	Compliant w/ Agenda Listing Req't	Current Agenda Listed First (IAMP only)	Ability to Download Agenda	Ability to Print Agenda	Ability to Search the Agenda for specific topic or word	Compliant
Section	549524.2 (a)(2)(A	549524.2 (a)(2)(C)(iii)	549524.2 (a)(2)(B)(i)	549524.2 (a)(2)(B)(i)	549524.2 (a)(2)(B)(i)	
County of Placer	**No**	**No**	**Yes**	**Yes**	**Yes**	**No**
City of Auburn	**No**	**Yes**	**Yes**	**Yes**	**Yes**	**No**
City of Colfax	**Yes**	**Does Not Apply**	**Yes**	**Yes**	**Yes**	**Yes**
City of Lincoln	**No**	**Yes**	**Yes**	**Yes**	**Yes**	**No**
City of Roseville	**No**	**Yes**	**Yes**	**Yes**	**Yes**	**No**
City of Rocklin	**No**	**Yes**	**Yes**	**Yes**	**Yes**	**No**
Town of Loomis	**No**	**Does Not Apply**	**Yes**	**No**	**No**	**No**

Findings

The grand jury finds:

F1: The City of Colfax complies with AB 2257 and offers the convenience of an agenda subscription service.

F2: The Placer County website provides a prominent, direct link to the current Board of Supervisors meeting agenda. The listing of the Board of Supervisors meeting agendas is not sorted in reverse chronological order; therefore, it does not comply with AB 2257.

F3: The City of Auburn website does not provide a prominent, direct link to the current City Council meeting agenda, nor does it provide a direct link to an agenda management platform listing of City Council meeting agendas; therefore, it does not comply with AB 2257.

F4: The City of Lincoln website does not provide a prominent link to the current City Council meeting agenda; therefore, it does not comply with AB 2257.

F5: The City of Roseville website does not provide a prominent, direct link to the current City Council meeting agenda, nor does it provide a direct link to an agenda management platform listing of the City Council meeting agendas; therefore, it does not comply with AB 2257.

F5: The City of Rocklin website does not provide a prominent, direct link to the current City Council meeting agenda, nor does it provide a direct link to an agenda management platform listing of the City Council meeting agendas; therefore, it does not comply with AB 2257.

F6: The Town of Loomis website does not provide a prominent, direct link to the current City Council meeting agenda, nor does it provide a direct link to an agenda management platform listing of the City Council meeting agendas. The agenda for the Town of Loomis is not searchable for specific terms. Therefore, it does not comply with AB 2257.

Recommendations

The grand jury recommends:

R1: Placer County update its website to ensure that the Board of Supervisors agenda webpage lists the most recent agenda first by October 1, 2020.

R2: The City of Auburn update its website by incorporating a prominent, direct link to the current City Council meeting agenda or listing of city council agendas by October 1, 2020. If the link is to a list of agendas, they must list the most recent agenda first.

R3: The City of Lincoln update its website by making the direct link to the current City Council meeting agenda prominent by October 1, 2020.

R4: The City of Roseville update its website by incorporating a prominent, direct link to the current City Council meeting agenda or list of city council agendas by October 1, 2020. If the link is to a list of agendas, they must list the most recent agenda first.

R5: The City of Rocklin update its website by incorporating a prominent, direct link to the current City Council meeting agenda or list of city council agendas by October 1, 2020. If the link is to a list of agendas, they must list the most recent agenda first.

R6: The Town of Loomis update its website by incorporating a prominent, direct link to the current City Council meeting agenda or list of city council agendas and ensure that the posted agenda is searchable by October 1, 2020. If the link is to a list of agendas, they must list the most recent agenda first.

Request for Response

Pursuant to California Penal Code § 933.05, the Placer County Grand Jury requests a response from the following governing bodies:

Legislative Body	Recommendations Requiring Response	Response Due Date
Bonnie Gore, Chair **Placer County Board of Supervisors** 175 Fulweiler Avenue Auburn, CA 95603	**R1**	**October 1, 2020**
Daniel Berlant, Mayor **City Council, City of Auburn** 1225 Lincoln Way Auburn, CA 95603	**R2**	**October 1, 2020**
Dan Karleskint, Mayor **City Council, City of Lincoln** 600 6th Street Lincoln, CA 95648	**R3**	**October 1, 2020**
John B. Allard II, Mayor **City Council, City of Roseville** 311 Vernon St. Roseville, California 95678	**R4**	**October 1, 2020**
Greg Janda, Mayor **City Council, City of Rocklin** 3970 Rocklin Road Rocklin, CA 95677	**R5**	**October 1, 2020**
Jan Clark-Crets, Mayor **Town Council, Town of Loomis** 3665 Taylor Road Loomis, CA 95650	**R6**	**October 1, 2020**

Copy sent to:

Joe Fatula, Mayor
City Council, City of Colfax
33 South Main St
Colfax, CA 95713

Reference 1: Organization Web Links

District	Website
Placer County	https://www.placer.ca.gov/
City of Auburn	https://www.auburn.ca.gov/
City of Colfax	http://colfax-ca.gov/
City of Lincoln	http://www.lincolnca.gov/
City of Roseville	http://roseville.ca.us/
City of Rocklin	https://www.rocklin.ca.us/
Town of Loomis	https://loomis.ca.gov/

Reference 2: Text of Assembly Bill 2257 § 54954.2

State of California GOVERNMENT CODE

Section 54954.2

54954.2. (a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's Internet Web site, if the local agency has one. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

(2) For a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site, the following provisions shall apply:

(A) An online posting of an agenda shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda. The direct link to the agenda shall not be in a contextual menu; however, a link in addition to the direct link to the agenda may be accessible through a contextual menu.

(B) An online posting of an agenda including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all the following requirements:

(i) Retrievable, downloadable, indexable, and electronically searchable by commonly used Internet search applications.

(ii) Platform independent and machine readable.

(iii) Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

(C) A legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site and an integrated agenda management platform shall not be required to comply with subparagraph (A) if all of the following are met:

(i) A direct link to the integrated agenda management platform shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state. The direct link to the integrated agenda management platform shall not be in a contextual menu. When a person clicks on the direct link to the integrated agenda management platform, the direct link shall take the person directly to an Internet Web site with the agendas of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state.

(ii) The integrated agenda management platform may contain the prior agendas of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state for all meetings occurring on or after January 1, 2019.

(iii) The current agenda of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state shall be the first agenda available at the top of the integrated agenda management platform.

(iv) All agendas posted in the integrated agenda management platform shall comply with the requirements in clauses (i), (ii), and (iii) of subparagraph (B).

(D) For the purposes of this paragraph, both of the following definitions shall apply:

(i) "Integrated agenda management platform" means an Internet Web site of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state to the public.

(a) "Legislative body" has the same meaning as that term is used in subdivision of Section 54952.

(E) The provisions of this paragraph shall not apply to a political subdivision of a local agency that was established by the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state.

(3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

(c) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

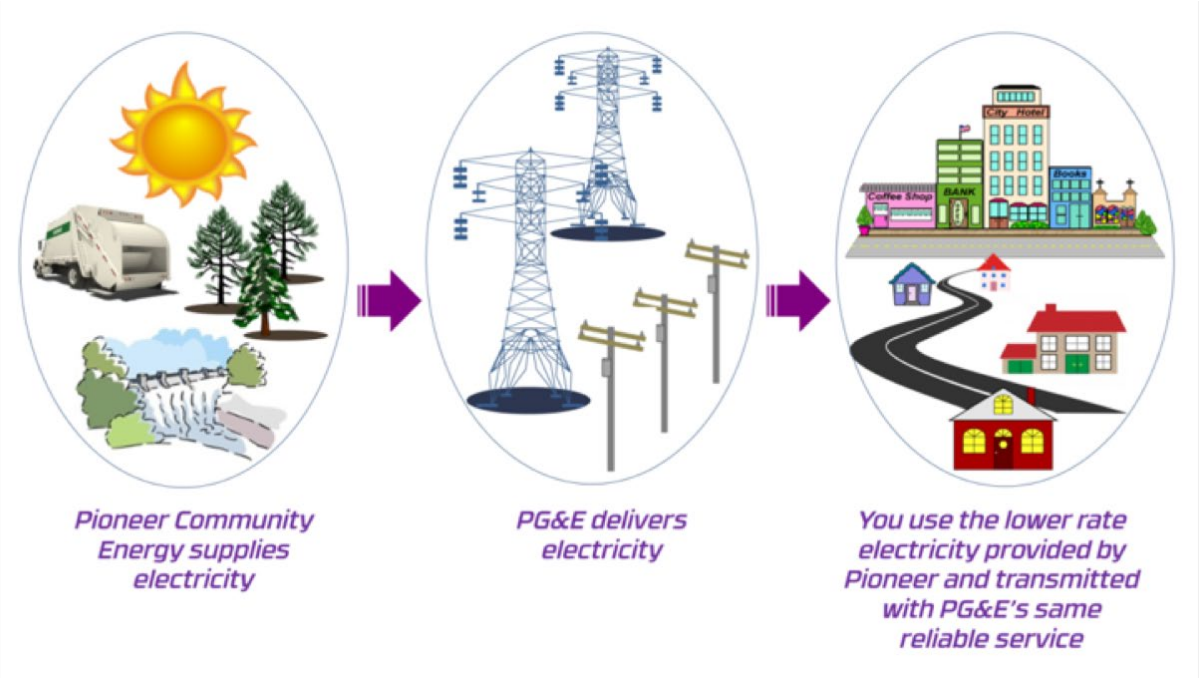
(d) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's Internet Web site, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:

(1) A legislative body as that term is defined by subdivision (a) of Section 54952.

(2) A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also members of a legislative body as that term is defined by subdivision (a) of Section 54952.

(Amended by Stats. 2016, Ch. 265, Sec. 1. (AB 2257) Effective January 1, 2017.)

Pioneer Community Energy



Pioneer Community Energy

Summary

Pioneer Community Energy is a Community Choice Aggregator, operating as a Joint Powers Authority to purchase wholesale electrical power to be delivered and billed to customers by PG&E.

Pioneer's Executive Director serves simultaneously as Pioneer Governing Board Secretary and as the elected Treasurer-Tax Collector of Placer County. Pioneer is understaffed with most work done by the Treasurer-Tax Collector Office employees or outside consultants. Delays in decision-making by the Governing Board have impacted financial performance and organizational effectiveness.

The grand jury recommends that Pioneer's Governing Board hire a qualified permanent Executive Director who is not an elected public official. Together, the Board and Executive Director should identify critical resources and create a staffing plan to reduce dependence on Placer County personnel and outside consultants. The Board should create a comprehensive strategic plan to guide its decisions for establishing stable finances and meeting existing and future challenges.

As the grand jury concludes this investigation, the consequences of the COVID-19 pandemic are unknown but could include revenue losses due to reductions in power usage, customers unable to make timely payments, and increases in uncollectable accounts.

Glossary

CAISO (California Independent System Operator): Manages 80% of California's electrical transmission grid, balancing electrical supply to avoid gaps or surges.

CCA: Community Choice Aggregator.

CPUC: California Public Utilities Commission

IOU: Investor-owned utility, such as Pacific Gas and Electric (PG&E) or Southern California Edison

JPA (Joint Powers Authority): An agency formed by a written agreement among jurisdictions to work together for a joint purpose such as an irrigation district or a power utility.

mPower: A Placer County program to loan m oney to residents and businesses for energy and water conservation projects. The loans are repaid as part of property tax payments.

PCIA (Power Charge Indifference Adjustment): An exit fee charged to CCA customers to compensate an IOU for costs incurred on behalf of those customers before they switched to the CCA.

PG&E (Pacific Gas and Electric): The IOU that owns the transmission lines and delivers electric power to Pioneer customers.

Pioneer: Pioneer Community Energy

PSPS (Public Safety Power Shutoff): In times of high fire danger, PG&E may shut down its electrical transmission lines to prevent accidentally starting fires. This stops the flow of electricity to residents and businesses in affected areas.

Methodology

Due to the complex and highly technical nature of electric utility operations and markets, the grand jury limited the scope of this report to a broad understanding of Pioneer, its governance, and the environment in which it operates. Financial performance is discussed solely to provide an overview of the challenges Pioneer now faces.

The grand jury interviewed Pioneer's Executive Director, members of the Pioneer Governing Board, a consultant under contract with Pioneer, and the Placer County Auditor-Controller. The grand jury also attended Pioneer Board meetings.

The grand jury requested and reviewed Pioneer financial reports, consulting contracts, staffing records, and governance policies. The grand jury also reviewed information available on the Pioneer website, including agendas and minutes, video recordings of meetings, and press releases, as well as information about Pioneer and community choice aggregators generally, such as research studies and news reports.

Background

Historical Context[1]

In 2018, many Placer County electricity consumers, both residential and commercial, received direct mail notices informing them that, unless they explicitly opted out, they were about to become customers of Pioneer Community Energy, a new Community Choice Aggregator (CCA) serving large areas of Placer County. (See Exhibit A.)

A CCA is a new type of retail electricity provider that enables communities to choose energy resources to invest in for themselves rather than relying on investor-owned utilities such as Pacific Gas and Electric (PG&E) or Southern California Edison.

Historically, investor-owned utilities provided electricity to most consumers in California. In the late 1990s, California deregulated its electricity market, which led to skyrocketing prices, rolling blackouts, market manipulation by electricity suppliers like Enron, and the bankruptcy of PG&E in 2001. In 2002, the California State Legislature's Assembly Bill 117 authorized a new hybrid energy model called Community Choice and enabled the creation of CCAs. Essentially, CCAs purchase electricity on the wholesale market; the electricity is delivered and billed to retail customers by the existing regional IOU.

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[1] Portions of this section are adapted from DeShazo, J. R., Julien Gattaciecca, and Kelly Trumbell, "The Promises and Challenges of Community Choice Aggregation in California," Luskin Center for Innovation, UCLA Luskin School of Public Affairs, July 2017

	Community Choice Aggregator (CCA)	Investor-Owned Utility (IOU)
Purchases Electricity	✓	
Balances Electricity Demand	✓	
Maintains Grid & Delivers Electricity		✓
Handles Billing and Metering		✓
Provides Customer Communication		✓
Develops Energy Efficient Programs	✓	✓

CCAs are created by cities, counties, or joint powers authorities (multiple jurisdictions working together), which enable them to promote the preferences of their communities over those of the regional IOUs. Community members can influence their CCA through its board of directors, typically composed of local elected officials. Since 2010, California communities have established 21 CCAs, which generally offer larger shares of renewable energy than their affiliated IOUs.

CCA Formation and Regulatory Process

Pioneer Community Energy was created from the Sierra Valley Energy Authority, a JPA established in 2015 by Placer County and the City of Colfax as a platform for expanding the existing mPower energy efficiency financing program. In February 2017, Sierra Valley changed its name to Pioneer Community Energy, and amended its JPA agreement to allow it to create a CCA and let the cities of Auburn, Lincoln, Rocklin and the town of Loomis join the JPA as full voting members.

In July 2017, after extensive public workshops, presentations, formal hearings, and authorizing ordinances from the participating member councils and the Placer County Board of Supervisors, Pioneer Community Energy adopted an implementation plan as a precursor to beginning operations in February 2018. This 45-page document outlined Pioneer's organizational structure, finances, rate setting process, and customer rights and responsibilities. Pioneer notified affected residents and businesses of its upcoming launch and provided legal notices and other communications required by the California Public Utilities Commission (CPUC). Eligible consumers were "opted-in"—automatically enrolled with no customer action required unless they decided they preferred to keep buying their electricity from PG&E.

Governance

Pioneer Community Energy's JPA agreement specifies a Governing Board with seven members: two from the County Board of Supervisors and one each from Auburn, Colfax, Lincoln, Loomis, and Rocklin. Each jurisdiction also appoints at least one alternate member, who may attend meetings and vote in the absence of the regular member. All serve at the pleasure of their appointing agency, which may end their term at any time.

A majority of the Governing Board constitutes a quorum for its actions. Each member has one vote, except that any Board Member may request a proportional vote, based on the share of kilowatt-hours represented by their appointing agency: "Annual Energy Use Divided by Total Annual Energy, multiplied by 100." (Pioneer JPA Agreement, Section 8.D)

The Pioneer Board appoints an Executive Director to manage day-to-day operations, and a Secretary, who need not be a member of the Board, to record its minutes and maintain any Board records. The JPA agreement specifies that the Placer County Treasurer and Auditor-Controller serve, respectively, as Pioneer's Treasurer and Auditor-Controller, and that Pioneer funds are deposited and maintained in the Placer County Treasury.

Pioneer, like all electric power providers within California, operates within a complex regulatory environment. In addition to meeting the renewable energy content standards mandated by the legislature, Pioneer must also comply with regulation from multiple agencies:

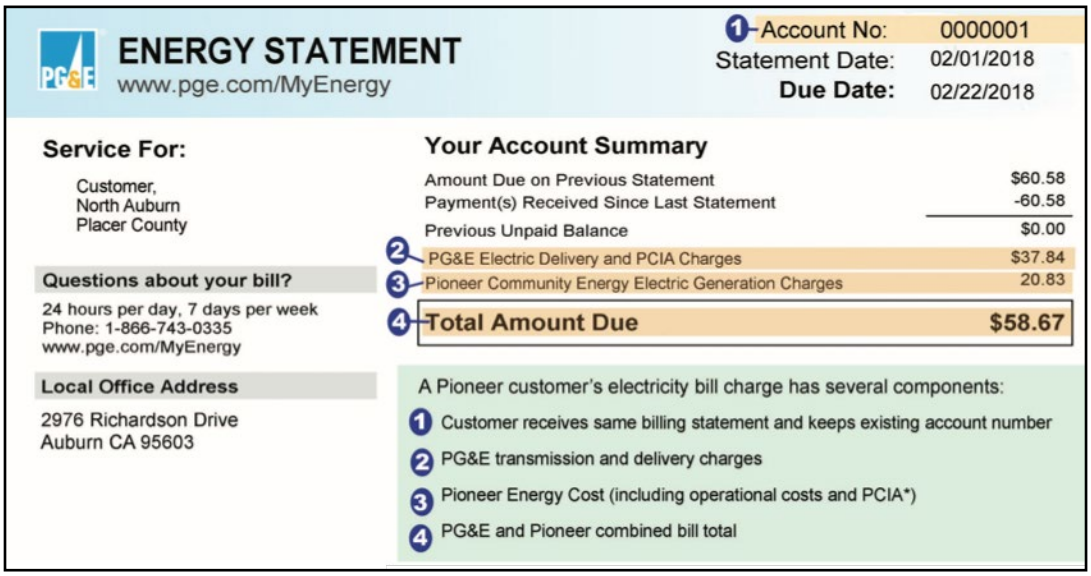
- California Public Utilities Commission
- California Energy Commission
- California Air Resources Board
- California Independent System Operator
- Federal Energy Regulatory Commission
- North American Electric Reliability Corporation

Pioneer contracts with several different consulting firms for the expertise and experience it needs to deal with its regulators and with the wholesale electric power market itself.

Finances

Pioneer earns its revenue by selling electrical power to consumers. PG&E delivers that power over its existing transmission lines, and bills customers. On PG&E bills, the cost of electricity

from Pioneer appears as a line item, "Pioneer Community Energy Electric Generation Charges," along with PG&E's own transmission charge and various other surcharges and regulatory fees.



ENERGY STATEMENT
www.pge.com/MyEnergy

1 Account No: 0000001
Statement Date: 02/01/2018
Due Date: 02/22/2018

Service For:
Customer,
North Auburn
Placer County

Questions about your bill?
24 hours per day, 7 days per week
Phone: 1-866-743-0335
www.pge.com/MyEnergy

Local Office Address
2976 Richardson Drive
Auburn CA 95603

Your Account Summary

Amount Due on Previous Statement	$60.58
Payment(s) Received Since Last Statement	-60.58
Previous Unpaid Balance	$0.00
2 PG&E Electric Delivery and PCIA Charges	$37.84
3 Pioneer Community Energy Electric Generation Charges	20.83
4 Total Amount Due	$58.67

A Pioneer customer's electricity bill charge has several components:
1 Customer receives same billing statement and keeps existing account number
2 PG&E transmission and delivery charges
3 Pioneer Energy Cost (including operational costs and PCIA*)
4 PG&E and Pioneer combined bill total

Pioneer uses the revenue from its electricity sales to pay its operating expenses, which include the wholesale cost of power procurement and delivery, and its general and administrative expenses. What is left after those expenses represents Pioneer's "net position." Net position is an important concept for understanding CCA finances. Though it can be described simply as the surplus of revenue minus operating expenses, it is the means by which Pioneer creates enough financial flexibility to establish reserves, meet creditor collateral requirements, and reduce or eliminate the cost of borrowing.

Pioneer's proposed budget for the 2019–2020 fiscal year as presented to its Governing Board on June 3, 2019, forecast revenue of $92.5 million and a net position for the year of $16.6 million. Pioneer also administers Placer County's mPower Program, an energy efficiency financing program for homeowners and businesses. Pioneer's CCA and mPower programs are reported and accounted for separately, but combined for financial reporting.

Operations

The procurement of electric power on the wholesale market is a highly technical and complex process. Pricing is volatile, and demand can vary substantially both seasonally, as the weather changes through the year, and less predictably, due to unexpected stretches of warmer- or cooler-than-usual weather. Utilities must determine the right mix of lower-cost long-term contracts with more expensive power purchases on the spot (short-term) market. Factors like climate change, which can affect long-term demand, or wildfires, which have brought Public Safety Power Shutoffs (PSPS) to our region, can disrupt the most careful procurement plans and cause serious financial disruption.

Expected Benefits

Pioneer's JPA Agreement cites several reasons for its members' participation:

1) Providing electric power and other forms of energy to customers at a competitive cost;

2) Promoting long-term electric rate stability and energy security and reliability for residents through local control of electrical generation resources and the overall power supply portfolio;

3) Carrying out programs to reduce energy consumption;

4) Stimulating and sustaining the local economy by developing local jobs in renewable energy; and

5) Reducing greenhouse gas emissions related to the use of electric power and other forms of energy in Placer County and neighboring region.

The JPA Agreement also mentions the desire to promote a variety of energy sources including "hydroelectric, biomass, landfill gas, conversion of waste-to-energy, solar, and wind energy production."

Pioneer reported 92,000 customers as of November 30, 2019.[2] During fiscal year 2018–2019, Pioneer rates averaged a discount of 7.5% to the electric generation rates of the PG&E, net of surcharges.[3]

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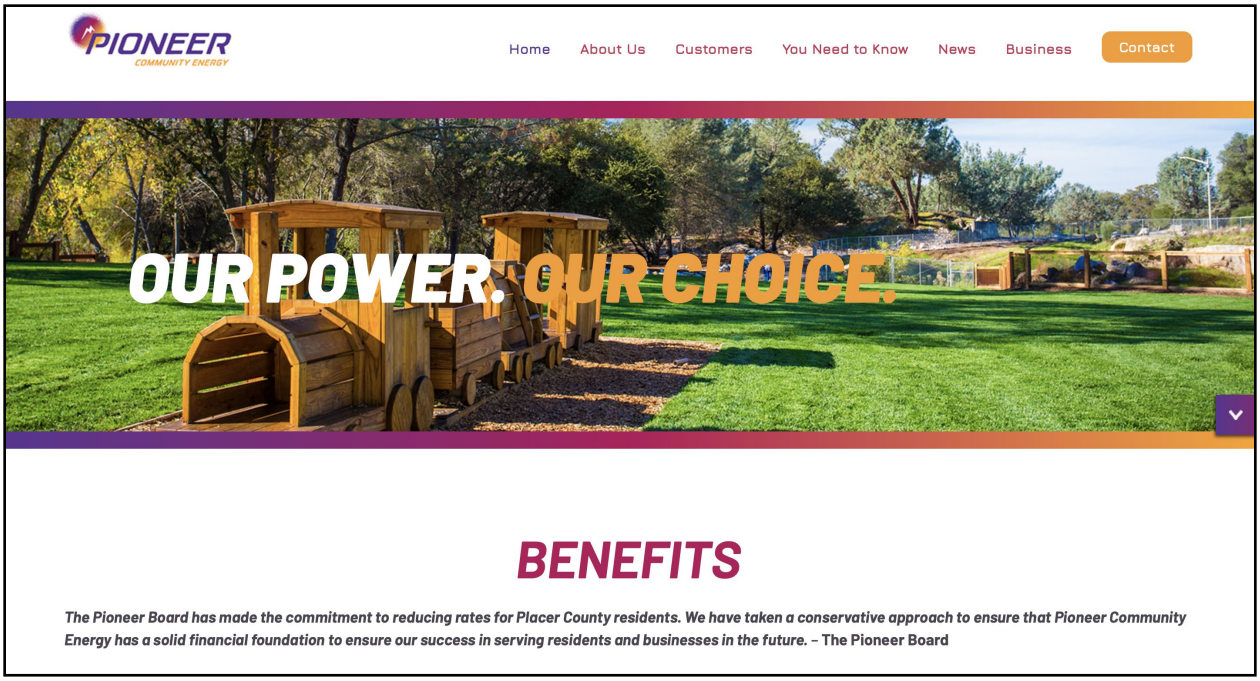
[2] Pioneer Governing Board Agenda, March 9, 2020, p. 53.

[3] Pioneer Community Energy Financial Statements for fiscal years ended June 30, 2018 and 2019 with Independent Auditor's report

Discussion



http://pioneercommunityenergy.ca.gov/

The Promise

The Pioneer Community Energy website exudes promise and potential, repeating many of the goals listed in its JPA agreement:

- *The Pioneer Board has made the commitment to reducing rates for Placer County residents. We have taken a conservative approach to ensure that Pioneer Community Energy has a solid financial foundation to ensure our success in serving residents and businesses in the future. – The Pioneer Board*
- *COMPETITIVE RATES Pioneer strives for lower, more stable electric generation rates.*
- *LOCAL CONTROL You have a voice in your electricity rates and programs. Pioneer is controlled by a Board of locally elected officials, not distant shareholders.*
- *PROGRAMS Pioneer does not use taxpayer dollars. Pioneer provides competitive and stable rates and cost saving programs.*

In addition to the often-touted lower electric rates and local control, Pioneer also mentions other local economic benefits. During a presentation to the grand jury, the Pioneer Executive Director cited retention of economic resources within the county, local job creation, and use and development of local resources. She cited five local resources Pioneer might one day work with on cogeneration, biomass, solar, or hydroelectric power generation projects: Clipper Creek, IHI Power Services Corp., Energy 2001, Inc., SMA Solar Technology and the Middle Fork Project.

But included in the materials accompanying her presentation was this statement:

> *"The Pioneer Board also directed that no programs be developed or implemented until debt has been paid and reserves have been funded"*

The Politics

The Pioneer Board appointed the Executive Director, who manages day-to-day operations, and the Board Secretary, who takes the minutes at meetings of the Board and maintains Board records. The Executive Director led the process to issue the revenue bond that provided Pioneer's initial startup financing. Pioneer's revenue bond was purchased as an investment for the county by Placer County's elected Treasurer-Tax Collector, who serves by virtue of holding that office as Pioneer's Treasurer. Though generally typical of JPAs and CCAs on paper, Pioneer's governance and management are unusual because the Executive Director, the Board Secretary, and the elected Treasurer-Tax Collector are all the same person.

The duties of the Executive Director are expansive and include management oversight of all Pioneer functions: administration, finance, marketing and public affairs, power procurement, and regulatory affairs. This work is in addition to the usual duties of the Treasurer-Tax Collector. She charged 60-70 hours per month on average to Pioneer for her work as Executive Director during the six-month period ending February 2020, using Placer County's cost allocation methodology.

The Board meets monthly, following an agenda prepared by the Executive Director. The grand jury interviewed prior and current Board chairs who see their primary role as a meeting facilitator and have little involvement in creating the agendas. The Board largely defers operations to the Executive Director, with the exception of setting rates and selecting the Executive Director. In interviews, Board members were unclear or inarticulate in their understanding of current and past Pioneer issues.

The Board, however, has been deeply involved with rate setting and has taken seriously Pioneer's promise to reduce rates for Placer County residents. Beginning at its June 3 meeting and continuing throughout the summer of 2019, the Board debated Pioneer's 2019-2020 fiscal year budget and proposed rate changes. On June 27, Joe Patterson, mayor of the city of Rocklin, wrote to Peter Gilbert, who then chaired the Pioneer Board, about proposed rate increases to be considered at the Board's July 1 meeting, "To date, Pioneer Community Energy has prioritized savings for the customers it serves. The Board and staff should be commended for its focused goal of creating low and stable rates…" (See Exhibit B.)

On July 1, 2019, the Board deferred the adoption of the proposed rates and directed the Executive Director to return on July 29 with the financial analysis of three different rate scenarios. Scenario 1, favored by the Executive Director and staff, was the most conservative, with the highest average customer rate increase to fund reserves and pay off existing debt. The Executive Director explained that to achieve an investment grade rating from Moody's Investor Services, which would allow Pioneer to borrow money at lower interest rates, Pioneer would need a reserve fund to cover 120 days of operations, or $24 million. This version would have resulted in approximately $1 million savings in interest costs by paying off the outstanding debt within the year instead of over four years.

Scenario 3 offered the maximum average rate reduction, with minimal deposits to reserves to meet collateral requirements, and debt repayment spread out until 2023. The lower reserve deposits meant that Pioneer would operate on much narrower margins for error, and any business conditions or other contingencies would need to be dealt with using debt financing. Scenario 2 took a middle approach to customer rates, reserve funding, and debt repayment.

The Board chose Scenario 3.

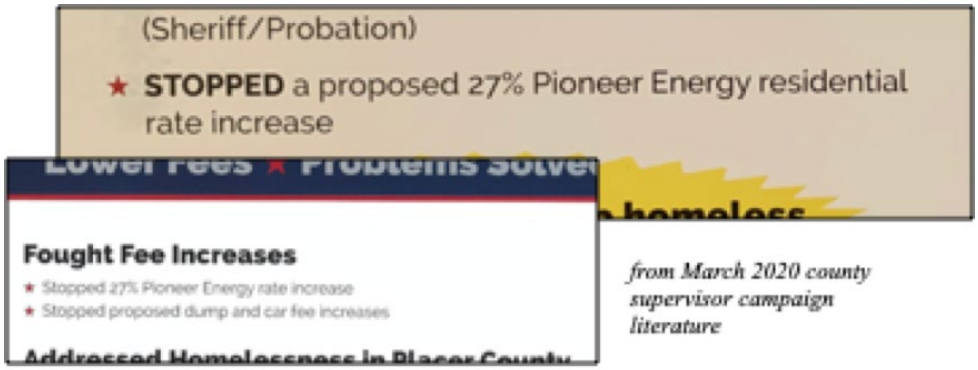
On July 30, 2019, the Executive Director submitted her resignation to the Board, stating "my professional training and experience do not align with the July 29, 2019 Board direction related to debt and fiscal management of Pioneer Community Energy. As a result, I am no longer willing to serve as executive director or secretary of Placer Community Energy." (See Exhibit C.) She further offered to continue in an acting capacity in both positions, to assist with recruiting a new executive director, and work to ensure a smooth transition.

According to its August 5, 2019, minutes, the Board in executive session "heard information as to the resignation of the Executive Director but did not take any action. The Board also heard information with respect to Executive Director recruitment and the Board took unanimous action as to Executive Director recruitment."

According to its minutes, the Board did not appoint a search committee for the Executive Director position until its meeting on November 4, 2019. As of May 2020, the position remains unfilled.

The original Executive Director continues to serve on an interim basis.

During the March 2020 Placer County local elections, Pioneer received prominent attention in at least one candidate's campaign literature. (See Exhibit D)



from March 2020 county supervisor campaign literature

Challenges

Startup Financing

Electricity is billed according to usage during the previous month and customers have a month to pay their bills. Pioneer needed financing at its startup in order to purchase the power it would sell. This initial financing took the form of a revenue bond that Pioneer issued in 2017:

- $40 million revenue bonds held by the Placer County Treasury (operates as a line-of-credit for Pioneer to draw on);
- Matures and payable in full on June 1, 2023;
- $14.4 million outstanding debt as of June 30, 2019.

According to the Pioneer JPA agreement, Pioneer's member bodies are not themselves liable for any debt Pioneer is unable to repay:

> ***Section 12. Debts, Liabilities and Obligations***
>
> *The Authority is a public agency separate from the Members. Pursuant to Sections 6508.1 of the Act, the debts, liabilities or obligations of the Authority shall not be debts, liabilities or obligations of the individual Members unless the governing board of a Member agrees in writing to assume any of the debts, liabilities or obligations of the Authority. A Member who has not agreed to assume an Authority debt, liability or obligation shall not be responsible in any way for such debt, liability or obligation even if a majority of the Members agree to assume the debt, liability or obligation of the Authority. Should any debt, liability or obligation of the Authority not be waived or allowed payable through assets of the Authority, none of the County or City members shall be liable, except as provided by Government Code sections 895 through 895.8.*

Pioneer's startup revenue bonds are held as an investment in the Placer County Treasury. In the unlikely event that Pioneer is unable to repay those bonds on their 2023 due date, it is unclear to the grand jury who would be responsible for covering any shortfall.

Financial Performance

Fiscal years 2018-2019 and 2019-2020 (partial year as of 2/29/2020)[4]

($ In Millions)	FY 2019/2020			FY 2018/2019	
	July 1, 2019 - Feb 29, 2020		Full Year	July 1, 2018 - June 30, 2019	
	Budget	Actual	Budget	Budget	Actual
Revenue	**$ 57.0**	**$ 53.4**	**$ 83.9**	**$ 74.9**	**$ 71.8**
Expenses					
- Power Supply	(47.7)	(45.7)	(67.2)	(59.9)	(63.2)
- Operating	(3.8)	(3.2)	(5.8)	(6.8)	(4.4)
- Non-Operating	(0.1)	(0.1)	(0.1)	(0.3)	0.1
Total Expenses	**(51.6)**	**(49.0)**	**(73.1)**	**(67.0)**	**(67.5)**
NET POSITION	**$ 5.4**	**$ 4.4**	**$ 10.8**	**$ 7.9**	**$ 4.3**
% of Net Position Generated [Net Position / Revenue]	**9.5%**	**8.2%**	**12.9%**	**10.5%**	**6.0%**
% Net Position - Budget vs Actual [Favorable/(Unfavorable)]		**(1.3%)**	**(4.7%)**		**(4.5%)**

Financial Targets

In September 2019, the Board established the following Net Position targets to build Pioneer's Net Position to:

- Reduce Outstanding Debt: Set aside $3.6 million annually to repay outstanding debt in 2023 (timed with the maturity of the 2017 Revenue Bonds).
- Increase Financial Reserves: Achieve a $30 million reserve by 2023 to improve liquidity. This could serve as cushion against unanticipated power procurement costs or to meet collateral requirements.

Although the Board began discussing rate changes at its June 3, 2019, meeting, it continued to discuss the proposals through the summer, only confirming in October a rate change that finally took effect in November. This delay caused a loss of revenue.

Financial Challenges

According to an analysis requested by the Governing Board comparing Pioneer's finances with those of the other CCAs that also began service in 2018, Pioneer's financial results are less favorable, with higher debt and smaller Net Position (surplus) generated. Summary results of the first full year of operation for each CCA are shown in the following table.

[4] Data extracted from Pioneer Community Energy financial statements.

Summary Results for First Full Year CCA Operation[5]

(In Dollars)	Pioneer	Valley Clean Energy	Monterey Bay	East Bay
CCA Start Date	**Feb 2018**	**June 2018**	**March 2018**	**June 2018**
Revenue Per Customer	**$ 799**	$ 478	$ 876	$ 711
Net Position Generated Per Customer	**$ 48**	$ 99	$ 291	$ 144
Debt Per Customer	**$ 160**	$ 30	$ -	$ 23
Base Rate Discount (5)	**5%**	**(*)**	**3%**	**1.5%**

(*) Increase or decrease in PCIA

Comparing Pioneer's Net Position percentages with the average of these four CCAs, including Pioneer, makes the difference obvious:

	Pioneer	**Average**
Power Costs as Percentage of Revenue (Power Costs/Revenue)	88%	75%
Net Position Percentage (Net Position/Revenue)	6%	20%

For more details of this comparison of these four CCAs that began operating in 2018, please see Exhibit E.

Pioneer's ability to generate Net Position is critical. Low rates to customers, high procurement costs, collectability of delinquent accounts, and other factors all affect Pioneer's capability to manage its finances effectively.

In addition to the more usual risks of volatile power pricing, unforeseen weather anomalies, and PSPS effects, Pioneer is now faced with a new and unexpected problem with the COVID-19 pandemic. The public health orders to shelter at home to reduce the spread of the novel coronavirus could adversely affect Pioneer's financial performance:

- Electrical demand may change significantly because schools and many businesses are closed and people are working from home.

[5] Adapted from Executive Director briefing December 19, 2019.

- High unemployment due to furloughs and layoffs may cause an increase in delinquent and non-recoverable accounts.
- The economic downturn could result in furloughs or layoffs of Placer County employees, which would affect the availability of the county staff who have been performing much of Pioneer's day-to-day work.

Other Challenges

Leadership. The complex technical nature and demanding finances of every CCA, including Pioneer, demand a dedicated, full-time Executive Director. The Board has been slow to fill this position and has opted to leave some staff positions unfilled so that the eventual new Executive Director may choose their own staff. This increases the burden placed on personnel already stretched thin at a time of great risk with a narrow financial cushion.

Staffing. Staffing is primarily outsourced either to Placer County employees or to independent consultants. As of March 2020, Pioneer employed only three full-time individuals. For the six-month period ending February 2020, five employees in the Treasurer-Tax Collector's Office devoted most of their time to Pioneer, with costs charged to Pioneer in accordance with standard time charging guidelines. These five employees each charged Pioneer 125 hours per month on average for this six-month period. The Executive Director stated in the February 3 Board briefing that "current staffing levels are not sustainable."

Development of a Strategic Plan. The grand jury reviewed financial targets which are elements of a strategic plan. Priorities such as discounts to customers versus the incumbent IOU, debt repayment, adequately funding reserves, staffing, future regulatory risks, etc. are essential components of a comprehensive strategic plan. A comprehensive strategic plan is the roadmap to guide decisions and serve as a performance benchmark versus other CCAs. The Governing Board has neither proposed nor developed a strategic plan for its future.

Citizen Involvement. Many CCAs, including Valley Clean Energy and East Bay, two of the CCAs that started service in 2018 along with Pioneer, have Community Advisory Committees, composed of volunteers appointed by the Governing Boards to serve as liaisons between the public and the CCA. At its meeting on January 6, 2020, the Board heard a presentation about establishing a Citizen's Advisory Committee, but directed staff to take no further action.

Website Content and Maintenance. The grand jury reviewed Pioneer's website to gather background information and history. A review in December 2019 indicated minutes had been neither approved nor posted for six months. At that time, the grand jury also noted that a placeholder for financial statements contained no information; numerous links led to "not found" pages or had date inconsistencies. No news releases or other community outreach dated later than May 2018 appears on the website.

The grand jury notes that since the December 2019 review, Pioneer has improved its timeliness for approving and posting meeting minutes. Financial statements for the period ending June 30, 2019 (approved by Pioneer's auditor on February 17, 2020) have also been posted. Financial statements for the period ending June 30, 2018 are included in Board material but are not found under the "Financial Statements" link.

Conclusion

Pioneer Community Energy was formed to benefit residents, businesses, and public entities. It promised to provide local control over energy rates and supplies, to promote renewable energy sources and energy independence, to retain economic resources in the county, and to create local jobs. While the Governing Board has emphasized its low rates to consumers, it has not begun planning to achieve its other goals.

From its beginning, Pioneer Community Energy has been enmeshed in local politics, perhaps inevitable with a Governing Board of elected officials. The Board is only marginally involved in the oversight of Pioneer's operations except insofar as low customer rates can be leveraged into a campaign issue. Pioneer's interim Executive Director is also the Pioneer Treasurer and the Board Secretary, all while she serves as the full-time elected Treasurer-Tax Collector of Placer County.

Multiple economic issues—both anticipated and unanticipated—challenge Pioneer Community Energy's financial health.

Findings

The grand jury finds:

F1: After nine months, the Governing Board has not yet replaced the interim Executive Director, who resigned July 30, 2019.

F2: The Governing Board's active involvement is largely rate setting and meeting attendance.

F3: The Governing Board's delay in making strategic decisions has resulted in a loss of revenue.

F4: A comprehensive strategic plan has been neither developed nor approved by the Governing Board.

F5: The Governing Board has taken no steps to solicit community involvement beyond the public comment periods during its meetings.

F6: The elected Treasurer-Tax Collector of Placer County serves simultaneously as interim Executive Director, Treasurer, and Board Secretary for Pioneer Community Energy.

F7: Pioneer is understaffed and leverages heavily from internal resources in the Office of the Treasurer-Tax Collector to conduct operations.

F8 Pioneer's website has broken or missing links and incomplete and often outdated information.

Recommendations

The grand jury recommends:

R1: The Pioneer Governing Board identify a new, full time, executive director by October 1, 2020.

R2: By October 1, 2020, the Board direct the Executive Director to create a plan for educating new board members on Pioneer's basic finances and operations to improve their ability to provide effective oversight of the CCA.

R3: By October 1, 2020, the Executive Director prepare a plan and timeline for developing a comprehensive strategic plan.

R4: By October 1, 2020, the roles of Pioneer Executive Director and Board Secretary be performed by separate individuals.

R5: The Board establish a Citizen Advisory Committee to enhance community relations and local control by October 1, 2020.

R6: The Executive Director prepare a staffing plan by October 1, 2020, to build in-house expertise and reduce dependence on both personnel borrowed from the Office of the Treasurer-Tax Collector and contracted outside consultants.

R7: By October 1, 2020, the Executive Director assign responsibility for website improvement and maintenance, including fixing broken or missing links and timely reporting.

Request for Response:

Pursuant to California Penal Code § 933.05, the Placer County Grand Jury requests a response from the following governing body:

	Recommendations Requiring Response	**Response Due**
Greg Janda, Chair **Pioneer Community Energy** **Governing Board** 2510 Warren Drive, Suite B Rocklin, CA 95677	**R1 through R7**	**October 1, 2020**

Copies sent to:

Bonnie Gore, Chair
Placer County Board of Supervisors
175 Fulweiler Avenue
Auburn, CA 95603

Jenine Windeshausen
Placer County Treasurer-Tax Collector
2970 Richardson Drive
Auburn, CA 95603

Andrew Sisk
Placer County Auditor-Controller
2970 Richardson Drive
Auburn, CA 95603

Daniel Berlant, Mayor
Auburn City Council
1225 Lincoln Way
Auburn, CA 95603

Joe Fatula, Mayor
Colfax City Council
33 South Main St
Colfax, CA 95713

Dan Karleskint, Mayor
Lincoln City Council
600 6th Street
Lincoln, CA 95648

Jan Clark-Crets, Mayor
Loomis Town Council
3665 Taylor Road
Loomis, CA 95650

Greg Janda, Mayor
Rocklin City Council
3970 Rocklin Road
Rocklin, CA 95677

Appendix

Exhibit A: Pioneer Community Energy customer enrollment mailer

Exhibit B: Rocklin Mayor letter June 27, 2019

Exhibit C: Jenine Windeshausen letter of resignation

Exhibit D: Supervisor campaign flyers

Exhibit E: CCA Financial Performance

Exhibit A: Pioneer Community Energy customer enrollment mailer

PIONEER
COMMUNITY ENERGY
2976 Richardson Drive
Auburn CA 95603

Presort First Class
U S Postage
PAID
Permit 604
Sacramento CA

*******AUTO**5-DIGIT 95746

Solar customers save $$ on utility bills

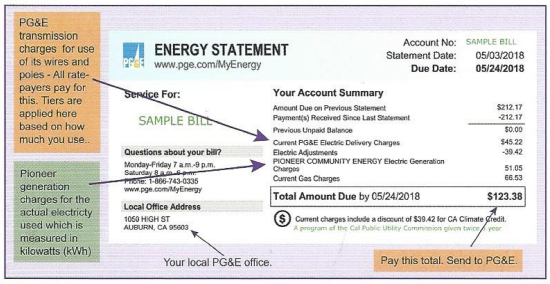
Pioneer Community Energy is a locally governed partnership between Placer County and the cities of Auburn, Colfax, Lincoln, Rocklin, and the Town of Loomis. Pioneer provides lower rates on electric generation service for residents and businesses in PG&E territory. While Pioneer provides the electric supply, PG&E continues to own, operate and maintain the poles and wires (transmission and delivery service). PG&E also continues to take and respond to service outage calls.

Pioneer Residential E-1 customers save 7.54% on electric generation charges, and commercial rate payers save even more! Check out Pioneer's rates at ***www.PioneerCommunityEnergy.ca.gov/pioneer-rates/.***

NEM/solar customers are being scheduled to enroll in Pioneer, based upon their true-up dates

Pioneer understands the value and importance of protecting accrued true-up credits. To allow NEM customers to use their accrued PG&E NEM credits, NEM customers will be scheduled to enroll within 30 days (either before or after) of their annual true-up. Enrollment is automatic to ensure fair and equal access to Pioneer's reduced rates and benefits. As part of the enrollment process, Pioneer will send you four notices to ensure that you have the time and information to make an informed choice. You will receive two notices prior to enrollment and two notices after enrollment.

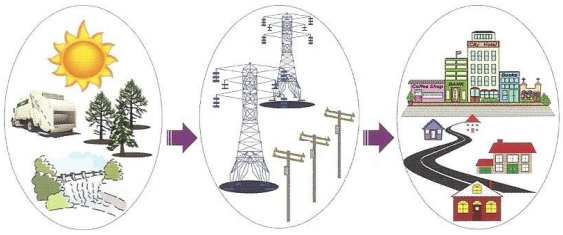
With automatic enrollment, you don't need to do anything to take advantage of Pioneer's lower electric generation rates and monthly billing cycle. However, you have the choice to continue receiving your generation service from PG&E. To do so, please contact Pioneer at 1 (844) 937-7466. If you choose to opt-out of Pioneer electric generation service and NEM program, Pioneer will make every effort to stop further notices from being sent to you.



NEM customers can get rid of their high annual true-up bills and save money

While you will be a customer of both PG&E and Pioneer, you will receive only one bill from PG&E, with Pioneer's lower electric generation charges replacing PG&E's electric generation charges on your bill.

As both a Pioneer and PG&E customer, you will maintain your grandfathered NEM rate for PG&E transmission and delivery service, so your grandfathered NEM rate remains unchanged. Your Time of Use schedule also remains unchanged. But, now, you will receive the benefit of Pioneer's lower electric generation rates when you are not producing power at night or on cloudy days!



Pioneer Community Energy supplies electricity — *PG&E delivers electricity* — *You use the lower rate electricity provided by Pioneer and transmitted with PG&E's same reliable service*

Each month, your NEM generation will offset your electricity use at the full retail rate. Each month that you generate more electricity than you use during the month, you will receive a credit on your bill for your excess generation. Credits roll forward to the next month and are applied at the retail rate against the next month's usage. Credits continue to accrue until you use them or until the March/April billing cycle. Once a year, during the March/April billing cycle, Pioneer will cash-out Net Surplus Generators. If you are a Net Surplus Generator who has generated more electricity over the past 12 months than you used, you will receive a check if your surplus is $25 or more. If your surplus value is less than $25, you will see a credit on your bill. Unused generation is valued at 3 cents per kWh.

In months when you do not have enough credits to cover your entire generation charge, you will be billed at Pioneer's lower rate for any electricity used in excess of your generation.

You still have PG&E benefits, such as rebates, CARE/FERA and medical baseline!

Customers on CARE/FERA/Medical baseline programs will continue to receive these benefits and do not need to take any further action as Pioneer customers. PG&E rebates, and most other PG&E programs, continue to be available, since customers continue to be PG&E customers for their transmission and delivery service. SmartRate Residential is a special program managed by PG&E that is not available to Pioneer customers. PG&E SmartRate customers should compare their SmartRate savings to their potential savings from Pioneer's lower electric generation rates to determine which program is best for them.

We're here to help! If you have questions about your Pioneer electric generation service, please call us at 1 (844)937-7466

If you choose not to take advantage of Pioneer's lower rates, you may request to return to PG&E by calling Pioneer at 1 (844) 937-7466. Customers who opt back to PG&E before receiving 60 days of service from Pioneer may opt-back to Pioneer at any time. For customers who opt-out of Pioneer after the first 60 days, PG&E imposes a one year wait before allowing a customer to return to Pioneer service.

Visit Pioneer's website at ***www.PioneerCommunityEnergy.ca.gov***

PIONEER COMMUNITY ENERGY

YOU CAN CHOOSE!

You are scheduled to be enrolled in Pioneer within 30 days.

PIONEER COMMUNITY ENERGY TERMS & CONDITIONS OF SERVICE

RATES Pioneer Community Energy manages wholesale electricity purchases with the intention of providing unbundled retail electric generation service at competitive rates. Any changes to Pioneer Community Energy rates will be adopted at duly noticed public meetings of the Pioneer Community Energy Governing Board. PG&E charges Pioneer Community Energy customers a monthly Power Charge Indifference Adjustment (PCIA) and Franchise Fee Surcharge. Pioneer Community Energy has already accounted for these additional charges in calculating its rates. View Pioneer Community Energy current rates at **www.PioneerCommunityEnergy.ca.gov** or call **1(844) 937–7466** for more information. These rates and cost comparisons are subject to change. Financial assistance programs like CARE (California Alternate Rates for Energy), FERA (Family Electric Rate Assistance), and Medical Baseline Allowance remain the same for Pioneer Community Energy customers. If you are enrolled in any of these programs with PG&E, you will continue to be enrolled if you choose Pioneer Community Energy. Subsequent changes to PG&E or Pioneer Community Energy rates impact cost comparisons.

BILLING You will receive a single monthly bill from PG&E. The bill will include charges for PG&E electric delivery and Pioneer Community Energy electric generation. Pioneer Community Energy's electric generation charge will replace PG&E's electric generation charge. Pioneer Community Energy charge is not an extra fee. PG&E will continue to charge for transmission, distribution, public goods programs, gas and other non-generation charges at the same rates it charges customers who do not receive Pioneer Community Energy service. PG&E forwards payments for Pioneer generation to Pioneer Community Energy. If you opt out of Pioneer Community Energy, PG&E will resume charging you for electric generation.

ENROLLMENT Pioneer Community Energy, a not–for–profit, public agency, is now the default electric generation provider in your community. California State Assembly Bill 117, passed and signed into law in 2002, requires that community choice energy programs like Pioneer Community Energy operate as the primary electric generation service provider through an automatic enrollment process to ensure equal and fair access. Accounts will be enrolled with Pioneer Community Energy starting with billing periods occurring on or after February 1, 2018. You may request to remain with PG&E at any time. To continue receiving electric generation service from PG&E, call **1(844) 937–7466** or visit **www.PioneerCommunityEnergy.ca.gov.** Please have your PG&E account number available so that we may process your request. To Remain with PG&E Electric Generation Service: You may request to remain with PG&E electric generation service at any time by calling **1(844) 937–7466** or at **www.PioneerCommunityEnergy.ca.gov**. Please have your PG&E account information available to process your request. PG&E does not charge a fee to continue receiving electric generation services if you provide notice that you wish to remain with PG&E service before your Pioneer Community Energy service starts, or within 60 days after your Pioneer Community Energy service starts. After that time, PG&E charges a one-time administrative fee of $4.24 to return to PG&E service. Pioneer does not charge a fee for returning to PG&E service. In addition, PG&E requires that Pioneer Community Energy customers use one of the following options for returning to PG&E generation service: Option 1) Return to PG&E generation service at the end of your current billing cycle on PG&E's transition rate for a six-month period and standard rates thereafter; or Option 2) Return to PG&E generation service, after six months' notice, on PG&E standard rates. If you return to PG&E electric generation service, you will be subject to PG&E's terms and conditions of service. For more information on PG&E's terms and conditions, visit www.pge.com/c-ca. Accounts will be transferred on the day the electric meter is read and cannot be transferred during the middle of a billing cycle. Requests to remain with PG&E electric generation services, received 5 or more days prior to a customer's meter read date, will be processed for that meter read date; all other requests will be processed on the subsequent meter read date. Customers who stop receiving electric generation service from Pioneer Community Energy will be charged for all Pioneer Community Energy electricity used before ending Pioneer Community Energy electric service. Please be advised that if you do return to PG&E, you will not have the option to return to Pioneer Community Energy for a full year. Pioneer Community Energy does not charge for returning to its unbundled electric generation service.

FAILURE TO PAY Pioneer Community Energy may transfer your account to PG&E upon 14 calendar days' written notice to you if you fail to pay your bill. If your service is transferred, you will be required to pay the PG&E fee, noted above. Pioneer Community Energy is governed by a Board of Directors of elected officials representing Placer County and the cities of Auburn, Colfax, Lincoln, Rocklin, and the Town of Loomis. Learn more at: **www.PioneerCommunityEnergy.ca.gov/about.**

CUSTOMER PRIVACY POLICY Pioneer Community Energy is committed to protecting customer privacy. View Pioneer Community Energy's policy on Customer Confidentiality at **www.PioneerCommunityEnergy.ca.gov/about** or by calling **1(844) 937–7466**.

Pioneer Community Energy is brought to you by a partnership between Placer County and the cities of Auburn, Colfax, Lincoln, Rocklin, and the Town of Loomis.

Brought to you by a partnership of:

ROCKLIN CALIFORNIA

Notice 2 of 4

Exhibit B: Rocklin Mayor letter June 27, 2019

ROCKLIN
CALIFORNIA

June 27, 2019

The Honorable Peter Gilbert
Chairman, Pioneer Community Energy
2510 Warren Drive, Suite B
Rocklin CA 95677

Chairman Gilbert:

I am writing on behalf of the Rocklin City Council to express our concerns with the proposed rate increase which is currently scheduled to be considered by your board on Monday, July 1.

To date, Pioneer Community Energy has prioritized savings for the customers it serves. The Board and staff should be commended for its focused goal of creating low and stable rates that have helped our residents enjoy significant savings from PG&E's rates. With yet another PG&E increase taking effect July 1, Rocklin residents that selected Pioneer will save approximately 15% from PG&E customers on power generation.

We are concerned because the proposed rate increase and other options considered at your June 3 meeting will mean double-digit percentage increases to our residents and businesses. While residents will continue to save some money compared to PG&E rates, we are concerned that such a dramatic rate increase will result in rates that do not meet the Board's primary objective of creating low and stable rates. Since PG&E is one of the most expensive electric providers in the country, Pioneer Community Energy should not benchmark its rates to PG&E.

We are also concerned because the proposed rate increases will cost the City of Rocklin and its taxpayers approximately $60,000. The direct hit on our city budget will unnecessarily impact services we provide to residents.

Thank you for the consideration.

Sincerely,

Joe Patterson
Mayor

CC: Board Members, Pioneer Community Energy
Jenine Windeshausen

JOE PATTERSON, Mayor
CITY OF ROCKLIN: 3970 Rocklin Rd. Rocklin, CA 95677
O. 916.625.5560 I C. 916.833.0787 I Joe.Patterson@rocklin.ca.us

Exhibit C: Jenine Windeshausen letter of resignation

Jenine Windeshausen

July 30, 2019

To: Pioneer Board of Directors

In early 2016, I proposed to the Board of Supervisors the concept of a CCA as a way to provide economic benefits to the people and business of Placer County and to leverage Placer County's local resources for economic development purposes, specifically with the intent of providing residents and businesses lower and more stable rates, and to take advantage of opportunities for job creation through the development of our local resources.

On July 26, 2016, by Resolution No. 2016-1 of the then Sierra Valley Energy Authority, now Pioneer Community Energy, the Board appointed me as executive director and secretary. The joint powers authority agreement approved by all member entities also provides that the County Treasurer is the Treasurer of Pioneer Community Energy.

I am pleased to have had the opportunity to develop the CCA concept, prove its feasibility, implement and successfully operate Placer County's CCA – Pioneer Community Energy.

Since 2016, I have outreached and engaged thousands of people in the community with over 100 presentations and question and answer sessions and I have met directly with many of Pioneers largest customers. Some of these public venues having as many as 700 community members in attendance. Since launching in February of 2018, Pioneer Community Energy has saved the residents and business over $15 million. I am particularly proud that over a twelve-month period Pioneer Community Energy increased affordability for low income individuals and families by saving CARE and FERA customers over $750,000.

I am proud and pleased of the work that I have done to propose, develop, implement and operate Pioneer Community Energy over the past three and a half years. From development through operation to-date, Pioneer has been managed in a very prudent and fiscally conservative manner. Since launching in February 2018, Pioneer has outperformed or exceeded its feasibility pro-forma. In particular Pioneer has exceeded its expected customer savings by over 360%. In my role as Treasurer, I developed and arranged for very advantageous financing to provide Pioneer the initial resources to launch service to its 80,000 plus customers.

Unfortunately, my professional training and experience do not align with the July 29, 2019 Board direction related to debt and fiscal management of Pioneer Community Energy. As a result I am no longer willing to serve as executive director or secretary of Pioneer Community Energy.

I will work to assist the Board with recruitment of a new executive director, unless the Board chooses otherwise, and I will work to ensure a smooth transition once a new director is selected. In the meantime, I will continue to support Pioneer Community Energy with the same energy and commitment that I have to date. I will schedule a closed session item on the August 5, 2019 agenda to discuss recruitment planning.

I thank you for the opportunity to further serve the people and communities of Placer County through my work on Pioneer Community Energy. My greatest professional reward is the satisfaction of knowing I have made a difference for the people and communities of Placer County.

Respectfully,

Jenine Windeshausen

Exhibit D: Supervisor campaign flyers

Exhibit E: CCA Financial Performance

CCA Financial Performance Comparative
First Full Year After CCA Launch
Source - Financial Statements as Provided on Respective CCAs Websites
(In Dollars)

	Pioneer Feb 2018 (1) Fiscal Year End 6-30-19		Valley Clean Energy June 2018 (1) Fiscal Year End 12-31-19		Monterey Bay March 2018 (1) Fiscal Year End 9-30-19		East Bay June 2018 (1) Fiscal Year End 6-30-19		Average % of 4 CCAs
Customers	**89,950**		**65,000**		**272,000**		**545,000**		
Revenue	$ 71,846,243	100%	$ 31,095,633	100%	$ 238,322,420	100%	$387,251,933	100%	100%
Expenses									
Power Supply Expense	$ 63,195,438	88%	$ 22,369,285	72%	$ 151,297,414	63%	$293,176,788	76%	75%
Operating Expenses	4,367,306	6%	2,265,505	7%	9,128,009	4%	14,220,949	4%	5%
All Other - Net	(58,177)	0%	19,495	0%	(1,320,685)	-1%	1,565,257	0%	0%
Total Expenses	67,504,567	94%	24,654,285	79%	159,104,738	67%	308,962,994	80%	80%
Net Position - Period	**$ 4,341,676**	**6%**	**$ 6,441,348**	**21%**	**$ 79,217,682**	**33%**	**$ 78,288,939**	**20%**	**20%**
Net Position - Inception-to-Date	**$ 10,148,698**		**$ 13,770,181**		**$ 119,696,714**		**$ 81,373,459**		
Annual Revenue per Customer	**$ 799**		**$ 478**		**$ 876**		**$ 711**		**$ 716**
Net Position Per Customer - Period	**$ 48**		**$ 99**		**$ 291**		**$ 144**		**$ 146**
Net Position Per Customer - ITD	**$ 113**		**$ 212**		**$ 440**		**$ 149**		**$ 229**
Total Liabilities	$ 20,551,111		$ 7,089,487		$ 37,708,844		$ 69,936,268		
Debt (Borrowing)	$ 14,400,000		$ 1,943,667		$ -		$ 12,512,500		
Debt Per Customer - Period	$ 160		$ 30		$ -		$ 23		
Discount (Base Product)	5.0%		(*)		3.0%		1.5%		

(1) Start Date of each CCA

(*) Increase or decrease in Power Charge Indifference Adjustment

References

Pioneer Community Energy website
http://pioneercommunityenergy.ca.gov/)

Pioneer Community Energy Terms and Conditions of Service
http://pioneercommunityenergy.ca.gov/wp-content/uploads/2018/05/2017-11-27-Terms-and-Conditions-of-Service-for-Pioneer.pdf

Pioneer Community Energy Implementation Plan
(includes Joint Powers Agency agreement)
http://pioneercommunityenergy.ca.gov/wp-content/uploads/2017/12/17-07-31-FINAL-Implementation-Plan-all-appendices-1.pdf

DeShazo, J. R., Julien Gattaciecca, and Kelly Trumbell, "The Promises and Challenges of Community Choice Aggregation in California," Luskin Center for Innovation, UCLA Luskin School of Public Affairs, July 2017. (https://innovation.luskin.ucla.edu/wp-content/uploads/2019/03/The_Promises_and_Challenges_of_Community_Choice_Aggregation_in_CA.pdf)

Illustration Credits

Cover: graphic from "About Us" page of Pioneer Community Energy website
http://pioneercommunityenergy.ca.gov/about-us/

Page 4: chart adapted from DeShazo, J. R., Julien Gattaciecca, and Kelly Trumbell, "The Promises and Challenges of Community Choice Aggregation in California," Luskin Center for Innovation, UCLA Luskin School of Public Affairs, July 2017.
(https://innovation.luskin.ucla.edu/wp-content/uploads/2019/03/The_Promises_and_Challenges_of_Community_Choice_Aggregation_in_CA.pdf)

Page 6: bill graphic from "Residential" page of Pioneer Community Energy website
http://pioneercommunityenergy.ca.gov/residential/

Page 8: Pioneer Community Energy website home page
(http://pioneercommunityenergy.ca.gov/)

Placer County Information Technology

Fiscal Transparency and Governance

Placer County Information Technology: Fiscal Transparency and Governance

We've heard you, loud and clear. In Placer County, we are committed to making it easy for you to have the information you need to be our partner in making this the greatest place on earth to live, work and play. And you shouldn't need a PhD in government speak to know what's going on.

—The Placer County Transparency Portal
www.placer.ca.gov/2218/transparency-portal

Summary

Information technology, hereafter referred to as IT, is integral to Placer County's delivery of services to its citizens and for its internal operations. Many offices and departments contain IT resources which are outside the view of the centralized Department of Information Technology. Because of this, it is not possible to understand what Placer County spends on IT.

Proper governance of IT would ensure full transparency of costs and effective use of taxpayer funds. Regular audits and updated processes and procedures will safeguard both the information and the resources that the county needs to provide services to its citizens.

The Placer County Grand Jury recommends that Placer County implement processes to achieve complete transparency of IT costs and strengthen governance so that its citizens have greater confidence in the use of taxpayer funds for IT.

Glossary

BOS: Board of Supervisors

CAFR: Comprehensive Annual Financial Report (annual filing for local governments)

CIO: Chief Information Officer

Cloud Computing: The delivery of computing services, including servers, storage and databases, networking and software over the internet ("the cloud")

DIT: Department of Information Technology

Engagement Letter: An agreement between a professional services firm and a client

ERP (Enterprise Resource Planning): The integrated management of main business processes using integrated software applications to collect, store, manage and interpret data

FY: Fiscal Year

IT: Information technology refers to anything related to computing technology, such as networking, hardware, software, the Internet, or the people that work with these technologies

Workday: Software services vendor which provides the ERP system installed by Placer County

Methodology

For this investigation, the grand jury interviewed staff within the Department of Information Technology (DIT) and the Auditor-Controller's Office, as well as IT staff from county departments with IT systems.

In addition to interviews, the grand jury asked follow-up questions and requested organization charts, department budgets, policies and procedures, and audit reports. The grand jury collected information from the Placer County website and other publicly available sources.

All interviewees were open, cooperative, and responsive.

Background

What is information technology? IT, as it is generally known, encompasses physical devices such as computers, data storage, and the supporting infrastructure, as well as networks and communications, not to mention all things digital and mobile. It also includes non-physical items such as software and processes that work with the physical devices to create, process, store, secure, and exchange all forms of data electronically.

All organizations, whether they are large or small, private or public, governmental, charities, churches or clubs, depend upon IT to operate. The uses of IT can range from a single computer used to access and communicate information to massive installations of hardware and software connected by private telecommunications lines to operate a worldwide business.

On a large scale, the challenges to effectively manage IT systems are enormous. Data, which could include things like revenue, payroll, human resources, medical records, legal and financial records, are the life blood of the organization. How does an organization:

- Protect data and ensure that it's accurate and available when needed?
- Maintain the confidentiality of business data and the privacy of personal data?
- Balance security and privacy against access and ease of use?
- Stay current with the newest, most secure, and efficient software, hardware, and processes?

And how much does it all cost? Like most large and complex organizations, Placer County government has adopted IT incrementally as needs were identified and budgets were funded. Departments and agencies have different needs such as interfaces to local, state and federal agencies along with mandated financial recording and reporting. Departments and agencies may have to meet requirements established by, for example, the Department of Justice or the Internal Revenue Service. A federal statute such as the Health Insurance Portability and Accountability Act, commonly referred to as HIPAA, established standards for the privacy of personal health information.

Discussion

On November 6, 2018, the Board of Supervisors (BOS) adopted an ordinance which, as part of a reorganization of the Administrative Services Department, created a new centralized Department of Information Technology (DIT), effective January 1, 2019, led by a Chief Information Officer (CIO) who reports directly to the County Executive Officer.

The Placer County Department of Information Technology is the central information technology provider for the county. The department provides IT consulting services, including project planning and management for systems implementation. The DIT plans, implements, administers, and maintains the data systems for the county. These services cover the servers, data storage, firewall, and security systems. In addition, the DIT administers and maintains the radio, data, and voice networks for the county.

IT Costs

For fiscal year (FY) 2019–2020, the DIT's budget is $30.2 million. As a percentage of Placer County's $1,033.3 million budget for FY 2019–2020, the DIT represents 2.9% . The DIT budget contains 82 funded positions although 6 positions were open or unfilled during this investigation.

Outside DIT, 35 IT positions are scattered in county offices and departments (see Appendix 1) which use their own dedicated staff and equipment to support their activities. These offices and departments and the number of dedicated positions include:

Sheriff's Office	12
Human Health Services	4
County Clerk-Recorder's Office	4
Assessor's Office	3
Community Redevelopment Agency	3
Auditor-Controller	2
Probation Department	2
Air Pollution Control District	1
Child Support Services	1
District Attorney	1
Employee Benefits	1
Treasurer-Tax Collector	1

The DIT budget does not include costs for these IT operations. Offices, departments, or agencies with specialized operational needs, such as the Sheriff's Department, or regulatory mandates, such as the Elections Office, may require a different level of support from the DIT. Agencies or departments with smaller or single-person in-house IT operations have varying arrangements with the DIT for services such as technical support and staff vacation coverage.

Application-level security is the responsibility of each organization's IT administrator. Unless the system is hosted on the county network, the DIT security team's ability to scan system configurations and recommend security improvements is limited. Backups of data are a critical function so that the county can recover operations in the event of any system failure. The DIT can monitor, control, and test critical backup and restore functions on all servers under its management.

For offices, departments, and agencies that maintain separate IT systems, there can be no assurance that all backup and restore functions work properly. In the event of a system failure, critical data may not be available if appropriate backup and recovery procedures have not been implemented or maintained.

Additionally, the grand jury requested countywide IT procedures and policies. Several of these were relatively old. These include (last revision date):

- "Data Network Standards Policy" (revised September 2013)
- "Employee Technology Use Policy" (approved by the Board of Supervisors February 7, 2017)
- "Information System Policies" (170+ page document created in 2016 and approved by the Board of Supervisors in 2019)

Governance

Governance is the process of establishing policies, monitoring their implementation, and keeping internal controls updated as business needs and best practices dictate. Robust IT controls rely on effective policies, sound internal controls, segregation of duties, and regular (including unannounced) audits of key systems and controls. An appropriate internal and external audit plan should include sufficient testing to assure that policies are adhered to and that controls perform as designed.

As part of the grand jury's review of IT governance, we requested all recent audit reports related to IT systems and applications. This request included audits of the recently implemented Workday ERP system (see below for a discussion of that system). As of April 2020, no audit reports have been issued for the past two years by either internal or external auditors. According to an April 2018 engagement letter, the Auditor-Controller requested the county's external auditor to perform "additional procedures over system implementation" for an amount not to exceed $10,000, so far without results.

Governance for IT also includes "Committee Membership & Roles & Responsibilities" (Appendix 2) which outlines committees, meeting schedules, and responsibilities. This document shows a detailed hierarchy of committees with levels of responsibilities and approvals for IT-related projects and processes. It lists recommended membership for each committee but does not specify who is responsible for that committee. The document is dated February 3, 2017, and has not been updated to include the CIO. The grand jury did not review agendas or minutes of any committee meeting and cannot assess the effectiveness of this structure.

The Workday ERP System

In 2016, Placer County recognized that its existing finance, payroll, and human resources systems needed to be updated or replaced. Rather than replace individual systems, the county chose to implement an Enterprise Resource Planning (ERP) system offered by Workday, a publicly traded IT services company with 2018 revenues of more than $2 billion. Workday does not sell its software nor is it hosted by the county. Workday offers its system under a program called "Software as a Service (SaaS)." The county pays for the services under a five-year contract which will need to be renewed to continue those services. Workday hosts the ERP system in a Microsoft Azure environment which provides all maintenance, upgrades, data storage, computers, security, and backups. This is commonly referred to as a "cloud" environment and is accessed via the internet. Both industry and government widely use this type of arrangement. The estimated budget for this project was $19.6 million, which makes it one of the largest single IT system-related expenses in Placer County's history.

The Auditor-Controller sponsored the Workday implementation and is responsible for its on-going support. During the implementation of Workday, two consultants were hired: Sierra-Cedar with a budget of $5 million and Leckey Consulting with a budget of $1.278 million. Both contracts were included in the original budget.

Sierra-Cedar provided implementation services, which may include the installation of new hardware, systems software, databases, and application programs. These services may also include re-engineering business processes and training.

Leckey Consulting provided project management services, which may include the planning and controlling of a team working on a large software project to meet specific time and budget constraints.

For the 2019–2020 fiscal year, the Auditor-Controller budgeted $3.926 million for Workday support which includes hosting and licensing fees.

Workday's financial suite went live on July 1, 2018, with the human resources and payroll applications following on July 1, 2019. Fourteen county employees in the Workday unit within the Auditor-Controller's Office provide security, application support, troubleshooting, and interface with the DIT. The county extended the Leckey Consulting contract at the cost of $202,000 for an additional six months through June 2020 to provide knowledge transfer and project management support for the staff.

Conclusion

Despite the recent creation of the Department of Information Technology (DIT) to centralize county IT operations, 12 county offices, departments, or agencies maintain their own in-house IT operations. This obscures the county's total IT expenditures and limits the CIO's ability to oversee security, back-up, and disaster recovery.

The management of the recently implemented Workday ERP system can be strengthened with a thorough governance review and knowledge transfer to the Workday staff. Additionally, the DIT should review and update its policies and procedures to reflect the systems and applications now in use.

Findings

The grand jury finds:

F1: Placer County's total cost for providing IT services cannot be determined from current financial reports. This defeats the county's goal for transparency of costs and operations.

F2: Numerous IT policies and procedures, including, among others, "Data Network Standards Policy" (2013) and "Employee Technology Use Policy" (2017), appear to be out-of-date and do not reflect current technology.

F3: Placer County does not have a complete view of system security, backup, and recovery because of the fragmented responsibility for these services.

F4: The Department of Information Technology has limited arrangements for cross-training or vacation coverage with offices, departments, or agencies that maintain their own in-house IT operations.

F5: No audits of security, segregation of duties, or system controls were conducted to verify proper performance of the Workday Enterprise Resource Planning system after its implementation.

F6: The failure to complete the knowledge transfer plan for the new ERP system required the county to fund the extension of a consulting contract.

Recommendations

The grand jury recommends:

R1: The Auditor-Controller prepare and present to the Board of Supervisors by October 1, 2020, a report of the total countywide IT costs for the 2019–2020 fiscal year, and annually thereafter, so that the total cost of IT is fully transparent.

R2: The CIO prepare a plan by October 1, 2020, to update IT procedures to align with current technology and business practices.

R3: The CIO prepare a plan by October 1, 2020, for periodic and unannounced testing at least annually. This should include penetration tests and security validations at a minimum, for organizations that maintain a network outside of the DIT.

R4: The CIO develop a cross-training plan by October 1, 2020, for the most critical IT functions in other offices and departments to ensure their continuity of operations.

R5: The Auditor-Controller include ERP system testing in Placer's FY 2020–2021 audit plan by October 1, 2020.

R6: The Auditor-Controller complete the ERP knowledge transfer by June 30, 2020, to avoid further consulting contract extensions and costs.

Request for Response

Pursuant to Penal Code § 933.05, the Placer County Grand Jury requests a response from the following:

	Recommendations Requiring Response	Response Due Date
Andrew C. Sisk **Placer County Auditor-Controller** 2970 Richardson Drive Auburn, CA 95603	**R1, R5, R6**	**October 1, 2020**
Jarrett Thiessen **Chief Information Officer** **Placer County Dept. of Information Technology** 2986 Richardson Drive Auburn, CA 95603	**R2, R3, R4**	**October 1, 2020**

Copies sent to:

Bonnie Gore, Chair
Placer County Board of Supervisors
175 Fulweiler Avenue
Auburn, CA 95603

Todd Leopold
County Executive Officer
175 Fulweiler Avenue
Auburn, CA 95603

Appendix 1: IT Positions Residing in Other Departments

Position Classification	Department, Agency or Office	# by Group
InformationTechnologyAnalystII	Sheriff's Office	
InformationTechnologyAnalystII	Sheriff's Office	
InformationTechnologyAnalystII	Sheriff's Office	
InformationTechnologyAnalystII	Sheriff's Office	
InformationTechnologyAnalystSr	Sheriff's Office	
InformationTechnologyAnalystSr	Sheriff's Office	
InformationTechnologyManager	Sheriff's Office	
InformationTechnologySuprvsr	Sheriff's Office	
InformationTechnologySuprvsr	Sheriff's Office	
InformationTechnologyTechII	Sheriff's Office	
InformationTechnologyTechII	Sheriff's Office	
InformationTechSpecialist	Sheriff's Office	12
InformationTechnologyAnalystII	Human Health Services	
InformationTechnologyTechII	Human Health Services	
InformationTechnologyTechII	Human Health Services	
InformationTechSpecialist	Human Health Services	4
InformationTechnologyAnalystI	County Clerk Recorder's Office	
InformationTechnologySuprvsr	County Clerk Recorder's Office	
InformationTechnologyTechII	County Clerk Recorder's Office	
InformationTechSpecialist	County Clerk Recorder's Office	4
InformationTechnologyAnalystSr	Assessor’s Office	
InformationTechnologyAnalystSr	Assessor’s Office	
InformationTechSpecialist	Assessor’s Office	3
InformationTechnologySuprvsr	Community Redevelopment Agency	
InformationTechSpecialist	Community Redevelopment Agency	
InformationTechSpecSr	Community Redevelopment Agency	3
InformationTechnologyAnalystII	Auditor-Controller Office	
InformationTechnologyAnalystSr	Auditor-Controller Office	2
InformationTechSpecialist	Probation Department	
InformationTechSpecSr	Probation Department	2
InformationTechnologyTechII	Air Pollution Control District	1
InformationTechSpecialist	Child Support Services	1
InformationTechSpecSr	District Attorney	1
InformationTechSpecialist	Employee Benefits	1
InformationTechSpecialist	Treasurer-Tax Collector	1
	Total	35

(Source: Chief Information Officer email dated October 20, 2019)

Appendix 2: Committee Membership Roles and Responsibilities (2/3/2017)

(Source - Chief Information Officer email dated 10/9/2019)

Board Of Supervisors	**Provide vision, direction and oversight for strategic and transformative initiatives**
Executive Technology Steering Committee Membership Meeting Schedule – Bi-monthly or ad-hoc as needed *Recommended committee membership:* • *Assistant CEO (Chair)* • *Deputy CEO (Vice-Chair)* • *Auditor-Controller* • *Director of Human Resources* • *Director of Administrative Services* • *Director of DPW/Facilities* • *Director of HHS* • *Director of CDRA* • *Sheriff Administrative Captain* *Approval Authority – The Executive Technology Steering Committee has the authority to approve projects that are greater than $250,000, pending Board approval for the total cost of the project.*	**Executive Technology Steering Committee Responsibilities** • Responsible for defining and providing guidance for the development and support of the organizational strategic plan • Responsible for including critical business capabilities for citizens • Determining the portfolio spend ie operating vs transformative allocation of funds • Ensures that the IT Strategic Plan is aligned with organizational goals and objectives • Responsible for making recommendations to the Board of Supervisors regarding the IT Strategic Plan • Reviews and recommends policies and standards for software, network, security, and emerging technologies • Review *approved projects report from Leadership Committee* • Reviews and provides endorsement for projects over $250,000 to Board of Supervisors*, pending Board approval for the total cost of the project* • Review priority and approve proposed key projects based on the following criteria: ➢ ***Project Objective/Potential Solution*** ➢ ***Current Automation Environment/Problem Situation*** ➢ ***Justification based on*** ✓ Legal Mandate ✓ Operational/Service Improvement ✓ Health/Safety Issue ✓ Cost Avoidance/Reduction ✓ Revenue Enhancement ✓ Sustainable Funding from Outside Source ✓ Demonstrated Benefit to a Broad Range of Users

Leadership Committee Membership **Meeting Schedule – Bi-Weekly or ad-hoc as needed** *Recommended committee membership:* • *Assistant Auditor-Controller* • *Assistant Director of Human Resources* • *Principal Management Analyst - CEO* • *Deputy Director of IT – Admin Services* • *Administrative Services Manager - DPW/Facilities* • *Administrative Services Manager - Sheriff* • *Director of Administrative Services - HHS* • *Administrative Fiscal Operatio s Manager – CDRA* • *Deputy County Counsel* *Approval Authority – The Leadership Committee has the authority to approve projects that are less than $250,000, pending Board approval for the total cost of the project and are required to provide an approved projects report to the Executive Technology Steering Committee* .	**Leadership Committee Responsibilities** • Review and propose updates to the IT Strategic Plan to the Executive Technology Steering Committee • Develops and recommend Draft Policy proposals to the Executive Technology Steering Committee, prior to PAM Review • Recommends System Approvals and priority of Requests to Executive Technology Steering Committee • Reviews and provides endorsement for projects under $250,000 to Board of Supervisors*, pending Board approval for the total cost of the project.* • Receives and Reviews System Requests, Project Status Reports and Project Workload Reports from Working Committees • Ensure that the County leverages economies of scale to ensure common tools and business diversity(i.e one ERP System) • Standardize processes and technologies wherever appropriate • Ensure cost control and operational efficiency • Ensure alignment and responsiveness to business requirements and associated resources • Ensures that all system requests are aligned with the Information Technology Strategic Plan • Review and advise the Working Committee on any issues with multi-departmental efforts on shared and integrated system selection, implementation and maintenance in accordance with County standards • Prioritize and recommend approval of proposed key projects based on the following criteria: ➢ ***Project Objective/Potential Solution*** ➢ ***Current Automation Environment/Problem Situation*** ➢ ***Resource Availability*** ➢ ***Justification based on***
	✓ Legal Mandate ✓ Operational/Service Improvement ✓ Health/Safety Issue ✓ Cost Avoidance/Reduction ✓ Revenue Enhancement ✓ Sustainable Funding from Outside Source ✓ Demonstrated Benefit to a Broad Range of Users

Working Committee Membership **Meeting Schedule – Bi-Weekly or ad-hoc as needed** *Recommended Committee Membership:* • *Program Manager* • *Project Manager* • *Subject Matter Experts* • *Business Process Analysts* • *Consultants* *Approval Authority – The Working Committee has no approval authority for projects.*	**Technology Working Committee Responsibilities** • Reviews, recommends, and oversees implementation of the Information Technology Strategic Plan • Responsible for development of Project Charter to include business requirements, funding source, resource requirements, ongoing maintenance requirements and timelines for the successful completion of the proposed project • Provides functional level expertise and administration for IT Systems • Develop and Submit System Requests including Departmental Technology Projects, Project Status Reports and Project Workload Reports to the Leadership Committee • Recommends multi-departmental efforts on shared and integrated system selection, implementation, administration and maintenance in accordance with County standards • Develop and present policy proposals to the Leadership Committee • Responsible for adherence to County Policies and Strategic Plans • Advocates systems needs and priorities to County Leadership Committee • Manages functional implementation and maintenance of approved systems • Develops and implements new system business process improvements • Provide Business Process Analysis to support the Leadership Committee • Determines which proposed projects are presented to the Leadership Committee for consideration and prioritization based on the following criteria: • Validates the project system requirements and funding request are documented • Technology Working Committee/Lead Department present a project briefing that include the following criteria: ➢ ***Project Objective/Potential Solution*** ➢ ***Current Automation Environment/Problem Situation*** ➢ ***Justification based on*** ✓ Legal Mandate ✓ Operational/Service Improvement ✓ Health/Safety Issue ✓ Cost Avoidance/Reduction ✓ Revenue Enhancement ✓ Sustainable Funding from Outside Source ✓ Demonstrated Benefit to a Broad Range of Users
User Group Membership **Meeting Schedule – Bi-Monthly** • *Department Representatives that utilize the system* • *These meetings will be led by the Business Process Analyst*	**User Group Responsibilities** • Establish a network of departmental system users for the sharing of best practice(s) and learning opportunities. • Provide a forum for identifying training needs and developing increased knowledge of the systems owned by the County. • Provide an effective communication mechanism to share information relative to projects, upgrades, maintenance efforts, potential future development and/or enhancements between user department staff and the Working Committee • Identify and resolve user issues • Communicate resolutions for issues identified by the group. Influence the future development and/or enhancement of system by providing documented system-related feedback to the Working Committee
Additional comments of note:	• *All Departmental Technology Projects are required to be submitted to the Technology Working Committee* • *The Strategic Business Plan for the ACORN System needs to be updated; if there is*

	an IT Strategic Plan perhaps it can be updated and referred to as a Technology
	Strategic Plan
	• *All Groups*
	  ○ *A "Project Liaison" should present the project to each group as needed for message consistency and be responsible for reporting back to their group(s)*
	  ○ *Focus should be on "non-mandated" projects with periodic reports on mandated projects to determine workload and funding recommendations*
	  ○ *For a project all costs to be included ie, internal staff costs, hardware, software, implementation costs*

School Board Agendas

School Board Agendas

Summary

California enacted Assembly Bill 2257, codified in California Code § 54954.2 requiring all legislative bodies to have a prominent, direct link to their board agenda on their website's homepage after January 1, 2019. The Placer County Grand Jury investigated compliance with this legislation for the Placer County Office of Education and sixteen school districts in Placer County. We found twelve districts and the Office of Education are compliant; four are not as of March 2020. The grand jury recommends these four districts update their websites to the current requirements.

Methodology

The grand jury viewed the Placer County Office of Education's website and each Placer County school district's website to determine if each complies with the new legislation. Each website was viewed numerous times for verification by different members of the grand jury.

Discussion

The California State Legislature passed The Ralph M. Brown Act (California Government Code § 54950) in 1953. The Act applies to the legislative bodies of local agencies in California including city and county government agencies, school districts, and special districts Under current law, the legislative body of a local agency must post an agenda that specifies the time and location of an upcoming meeting and briefly describes the items of business to be discussed at least 72 hours before a regular meeting or 24 hours before a special meeting. The agenda must be posted in a physical location freely accessible to members of the public and on the agency's website, if it has one.

In 2016, the California State Legislature enacted Assembly Bill 2257 (California Government Code § 54954.2) updating the Brown Act with new requirements for posting meeting agendas on local agency websites. It also requires the agenda be searchable, indexable and downloadable. It also adds additional requirements governing the location, platform, and methods by which an agenda must be accessible on the agency's website.

These changes affect all elected governing boards. The grand jury reviewed all school district websites in Placer County to ensure that parents and other citizens may easily obtain agenda information.

Chart 1: District Links

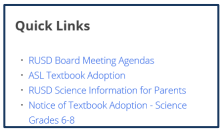
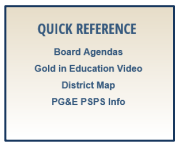
Alta Dutch Flat ***No Direct Link Found***	Placer Hills Union
Auburn Union	Placer Union High
Bowman Charter	Rocklin Unified 
Colfax Elementary ***No Direct Link Found***	Roseville City
Dry Creek Joint Elementary	Roseville Joint Union High
Eureka Union ***No Direct Link Found***	Tahoe-Truckee
Foresthill Union	Western Placer
Loomis Union	Placer County Office of Education 
Newcastle Elementary ***No Direct Link Found***	

Chart 2: Compliance

District	Home Page has a direct link to Agendas or Mgt Software	Most Current Agenda Listed First	Ability to Download Agenda	Ability to Search	Compliant
Alta-Dutch Flat Elementary	NO	Yes	Yes	Yes	NO
Auburn Union Elementary	Yes	Yes	Yes	Yes	Yes
Bowman Charter School	Yes	Yes	Yes	Yes	Yes
Colfax Elementary	NO	Yes	Yes	Yes	NO
Dry Creek Jt. Elementary	Yes	Yes	Yes	Yes	Yes
Eureka Union	NO	Yes	Yes	Yes	NO
Foresthill Union	Yes	Yes	Yes	Yes	Yes
Loomis Union	Yes	Yes	Yes	Yes	Yes
Newcastle Elementary	NO	Yes	Yes	Yes	NO
Placer Hills Union	Yes	Yes	Yes	Yes	Yes
Placer Union High	Yes	Yes	Yes	Yes	Yes
Placer Office of Education	Yes	Yes	Yes	Yes	Yes
Rocklin Unified	Yes	Yes	Yes	Yes	Yes
Roseville City Elementary	Yes	Yes	Yes	Yes	Yes
Roseville Joint Union High	Yes	Yes	Yes	Yes	Yes
Tahoe-Truckee Unified	Yes	Yes	Yes	Yes	Yes
Western Placer Unified	Yes	Yes	Yes	Yes	Yes

Conclusion

The grand jury found twelve districts and the Placer County Office of Education are compliant with the new Brown Act requirements. The grand jury acknowledges and commends these districts for their efforts to stay updated with the current law.

However, while technically compliant with the new law, the agenda links for seven of these districts are not prominent on their website home page. The grand jury believes this makes it difficult for parents and citizens to locate the agenda.

As of March 2020, four districts were not compliant. The grand jury found no direct link from the home page to the board agenda.

Findings

The grand jury finds:

F1: Auburn Union, Bowman Charter, Dry Creek Joint Elementary, Foresthill Union, Loomis Union, Placer Hills Union, Placer Union High, Rocklin Unified, Roseville City, Roseville Joint Union High, Tahoe-Truckee, and Western Placer school districts are compliant with AB 2257.

F2: While technically compliant, Bowman Charter, Foresthill Union, Loomis Union, Placer Hills Union, Placer Union High, Rocklin Unified, and Tahoe-Truckee should make their agenda link more prominent on their home page.

F3: Alta Dutch Flat Elementary, Colfax Elementary, Eureka Union, and Newcastle Elementary school districts are not in compliance with AB 2257.

Recommendations

The grand jury recommends:

R1: Alta Dutch Flat Elementary School District update its website to include a prominent direct link to the board agenda by September 1, 2020.

R2: Colfax Union School District update its website to include a prominent direct link to the board agenda by September 1, 2020.

R3: Eureka Union School District update its website to include a prominent direct link to the board agenda by September 1, 2020.

R4: Newcastle Elementary School District update its website to include a prominent direct link to the board agenda by September 1, 2020.

R5: Bowman Charter, Foresthill Union, Loomis Union, Placer Hills Union, Placer Union, Rocklin Unified and Tahoe-Truckee school districts change their agenda link to be more prominent on their home page by September 1, 2020.

Request for Response

Pursuant to Penal Code § 933.05, the Placer County Grand Jury requests a response from the following governing bodies:

	Recommendations Requiring Response	Response Due Date
Rochelle Baiocchi, Board President Alta-Dutch Flat Elementary School District 34050 Alta Bonnynook Rd Alta, CA 95701	**R1**	**October 1, 2020**
Karen Sheets, Board President Colfax Elementary School District 24825 Ben Taylor Colfax, CA 95713	**R2**	**October 1, 2020**
Renee Nash, Board President Eureka Union School District 5455 Eureka Rd Granite Bay, CA 95746	**R3**	**October 1, 2020**
Steve Peck, Board President Newcastle Elementary School District 645 Kentucky Greens Way Newcastle, CA 95658	**R4**	**October 1, 2020**
Robert Kanngiesser, Board President Bowman Charter School District 13777 Bowman Rd Auburn, CA 95603	**R5**	**October 1, 2020**
Casey Peoples, Board President Foresthill Union School District 22888 Foresthill Rd Foresthill, CA 95631	**R5**	**October 1, 2020**
Jim Foster, Board President Loomis Union School District 3290 Humphrey Rd Loomis, CA 95650	**R5**	**October 1, 2020**

Glenn Pierce, Board President Placer Hills Union School District 16801 Placer Hills Rd. Meadow Vista, CA 95733	**R5**	**October 1, 2020**
Ron Oates, Board President Placer Union High School District 1919 Grass Valley Hwy Auburn, CA 95603	**R5**	**October 1, 2020**
Rick Miller, Board President Rocklin Unified School District 2615 Sierra Meadows Dr. Rocklin, CA 95677	**R5**	**October 1, 2020**
Kim Szczurek, Board President Tahoe-Truckee Unified School District 11603 Donner Pass Rd. Truckee, CA 96161	**R5**	**October 1, 2020**

Copies sent to:

Michelle Sierra-Sammons, Board President
Auburn Union Elementary School District
255 Epperle Ln
Auburn, CA 95603

Scott Otsuka, Board President
Dry Creek Joint Elementary School District
8849 Cook Riolo Rd
Roseville, CA 95747

Gayle Garbolino-Mojica, Superintendent
Placer County Office of Education
360 Nevada St.
Auburn, CA 95603

Alisa Fong, Board President
Roseville City Elementary School District
1050 Main St.
Roseville, CA 95678

Andrew Tagg, Board President
Roseville Joint Union High School District
1750 Cirby Way
Roseville, CA 95661

Paul Long, Board President
Western Placer Unified School District
1400 1st St.
Lincoln, CA 95648

Reference

Assembly Bill 2257

State of California GOVERNMENT CODE
Section 54954.2

54954.2. (a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's Internet Web site, if the local agency has one. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

(4) For a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site, the following provisions shall apply:

(A) An online posting of an agenda shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda. The direct link to the agenda shall not be in a contextual menu; however, a link in addition to the direct link to the agenda may be accessible through a contextual menu.

(B) An online posting of an agenda including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all the following requirements:

(i) Retrievable, downloadable, indexable, and electronically searchable by commonly used Internet search applications.

(ii) Platform independent and machine readable.

(iii) Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

(C) A legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site and an integrated agenda management platform shall not be required to comply with subparagraph (A) if all of the following are met:

(i) A direct link to the integrated agenda management platform shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state. The direct link to the integrated agenda management platform shall not be in a contextual menu. When a person clicks on the direct link to the integrated agenda management platform, the direct link shall take the person directly to an Internet Web site with the agendas of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state.

(ii) The integrated agenda management platform may contain the prior agendas of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state for all meetings occurring on or after January 1, 2019.

(iii) The current agenda of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state shall be the first agenda available at the top of the integrated agenda management platform.

(iv) All agendas posted in the integrated agenda management platform shall comply with the requirements in clauses (i), (ii), and (iii) of subparagraph (B).

(D) For the purposes of this paragraph, both of the following definitions shall apply:

(ii) "Integrated agenda management platform" means an Internet Web site of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state to the public.

(e) "Legislative body" has the same meaning as that term is used in subdivision of Section 54952.

(E) The provisions of this paragraph shall not apply to a political subdivision of a local agency that was established by the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state.

(5) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(f) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

(g) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

(h) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's Internet Web site, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:

(3) A legislative body as that term is defined by subdivision (a) of Section 54952.

A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also members of a legislative body as that term is defined by subdivision (a) of Section 54952.

(Amended by Stats. 2016, Ch. 265, Sec. 1. (AB 2257) Effective January 1, 2017

Resources

District	Website
Alta-Dutch Flat Elementary	https://www.alta.k12.ca.us/
Auburn Union Elementary	http://www.auburn.k12.ca.us/
Bowman Charter School	https://www.ackerman.k12.ca.us/
Colfax Elementary	https://www.colfax.k12.ca.us/
Dry Creek Joint Elementary	https://dcjesd-ca.schoolloop.com
Eureka Union	http://www.eurekausd.org/
Foresthill Union	http://www.fusd.org/
Loomis Union	loomis-usd.k12.ca.us/
Newcastle Elementary	https://www.newcastle.k12.ca.us/
Placer Hills Union	https://www.phusd.k12.ca.us/
Placer Union High	http://www.puhsd.k12.ca.us/
Placer Office of Education	https://www.placercoe.org/Pages/PCOE/home.aspx
Rocklin Unified	https://www.rocklinusd.org/
Roseville City Elementary	https://www.rcsdk8.org/
Roseville Joint Union High	https://www.rjuhsd.us/
Tahoe-Truckee Unified	https://www.ttusd.org/
Western Placer Unified	http://www.wpusd.org/

Placer County
Jails and Holding Facilities
A Consolidated Report of Annual Inspections

Prizewinning bear made by the Placer County Jail Sewing Team

Bears in Sheriff's costume, other stuffed toys, and children's blankets are made by South Placer Minimum Security Jail inmates on the Sewing Team. The bears and other items are used by local law enforcement when encountering children in distressing circumstances. The bear's clothing is made from sheriff's uniforms that have been taken out of service. Inmates who work on the Sewing Team see their participation not just as a job; more importantly, it's a means of rehabilitation and an opportunity to learn a trade that may support them once released. For more examples of work performed by the Sewing Team, see Attachment A.

(Report cover photo courtesy of Placer County Sheriff's Office.)

Placer County Jails and Holding Facilities: A Consolidated Report of Annual Inspections

Summary

This report summarizes the Placer County Grand Jury inspections conducted at the six Placer County jails and holding facilities during the months of October and November 2019.

Overall, the grand jury found these facilities to be secure, orderly and well-run.

Background

Section 919(b) of the California Penal Code mandates "The Grand Jury shall inquire into the condition and management of public prisons within the county."

Methodology

The grand jury visited each facility, interviewed staff, and observed inmates in housing, work, and activity areas. At South Placer Minimum Security Facility, the grand jury interviewed two inmates.

Placer County Sheriff's Office staff facilitated inspections in the following locations:

Jails:

1. Placer County Main Jail in Auburn (October 24, 2019)
2. South Placer Adult Correctional Facility in Roseville (October 3, 2019)
3. South Placer Minimum Security Facility in Roseville (October 3, 2019)

Holding Facilities:

4. Santucci Courthouse in Roseville (November 12, 2019)
5. Historic Courthouse in Auburn (October 9, 2019)
6. Burton Creek Sheriff's Substation in Tahoe City (November 4, 2019)

Facts

- Deputies transport inmates to each facility via a secure, controlled entry called a sally port.
- All facilities have security screening equipment for use at booking or at public entrances.
- All items are subject to inspection at entry.
- Inmates on health or safety check (e.g., suicide watch) are checked by staff every 15 minutes; other inmates are checked every 30 minutes.
- Each facility has a defibrillator.

Inspection Detail for Jails

1. Placer County Main Jail in Auburn.

On October 24, 2019, the grand jury inspected the Placer County Main Jail in Auburn, which opened in 1985 and houses level II, III, and IV inmates (i.e., medium to maximum levels). Approximately 100 staff work 12-hour shifts.

- The jail has a capacity of 386 inmates and at the time of inspection was not at capacity.
- The booking area includes a medical screening area, full body scanner, holding cells, and cells for suicide watch.
- The grand jury toured the housing units and noted the housing areas were clean; no discrepancies were noted.
- The jail meets criteria for the Americans with Disabilities Act (ADA) and provides access to medical and mental health treatment on a 24-hour basis, as needed.
- Placer Adult Educational Services offers classes to prepare inmates to take the General Education Diploma (GED) exam.
- Meals for inmates are prepared by a third-party vendor.

2. South Placer Adult Correctional Facility and
3. South Placer Minimum Security Facility (Co-located Facilities).

On Thursday, October 3, 2019, the grand jury inspected the South Placer Adult Facility and the South Placer Minimum Security Facility, which are co-located on Go for Broke Road in Roseville. Both the Adult Correctional and Placer Minimum Security facilities were completed within the last ten years and are considered state-of-the-art. Both facilities house men and women. Current capacity of these facilities is 300 inmates at the Placer Adult Facility and 120 inmates at the Placer Minimum Security Facility. The grand jury inspected the intake area, booking area, visitor and video area, kitchen, laundry facilities, medical services unit, medium and high-security detention pods, as well as recreational space.

South Placer Adult Correctional Facility located in Roseville, California. Co-located with South Placer Minimum Security Facility. (Photo by V. Steele-Pirie)

Observations:

- A third-party contractor manages the kitchen, which serves both facilities and is staffed, in part, by inmates. Inmates commented favorably on the food; staff indicated inmate morale was improved by the better meal options offered. The kitchen currently serves up to 420 inmates and prepares additional meals taken outside the facility. This kitchen has the capacity to feed 1000 individuals.
- In order to reduce noise levels indoors, both facilities provide inmates with earbuds for listening to television or for connecting to tablet devices. The tablets are multilingual, providing direct access to facility rules, various forms, requests for medical or dental appointments, and grievance procedures. The tablets are also pre-loaded with approved videos. Computer time is available to the inmates on a limited basis.
- Staff closely monitor inmates occupying cells in the medical and psychiatric observation unit.
- Private cells are available for meetings between inmates and counsel.
- The visiting area includes eight video conferencing visitation booths.
- These co-located facilities use the same kitchen and laundry.The design of each building allows for expansion into nearby undeveloped space.

The main differences between the South Placer Adult and the Minimum-Security facilities are:

- Inmates of the Minimum-Security Facility often have less time left to serve and may be offered the opportunity to work under direct supervision. Qualified male inmates may perform labor in the kitchen or off-grounds outside; female inmates may work in the laundry or sewing room. In addition to receiving modest compensation, these inmates can work time off their sentences. Eligible inmates stated they value this opportunity.
- The sewing program in the Minimum-Security facility is impressive; inmates appear very well-motivated. While working off sentence time, these women develop job skills and describe feeling increased self-esteem due to their accomplishments. Sewing projects, all using scrap cloth and donated materials, include crafting stuffed animals, holiday gifts, clothing, and small blankets for needy children, fire victims and local charities. Other projects include stuffed bears made from Placer County deputies' discarded uniforms. In recent years, the inmate-crafted bears won numerous prizes at the California State Fair *(see Attachment A)*.
- Grand jurors interviewed two male inmates at South Placer Minimum Security. The inmates said they were grateful for the opportunity to work, saying it kept them busy while allowing them to cut time from their sentences. Both inmates said they were aware of the jail grievance process; neither interviewee had felt a need to use it, saying they had no complaints and felt the staff treated them respectfully. One interviewee said he was also using jail educational services. Both inmates said the food was good.

Inspection Detail for Holding Facilities

4. Santucci Courthouse Holding Facility in Roseville

The grand jury inspected this holding facility, located next to the South Placer Adult Jail and the Minimum-Security Facility, on November 12, 2019.

- Built in 2008, this holding facility is the most modern in Placer County. It includes 12 basement holding cells connected via tunnel to the South Placer Adult Jail.
- Six additional holding cells are adjacent to the courtrooms on the first floor, and four holding cells are adjacent to courtrooms on the second floor.

Historic Auburn Courthouse, Auburn, California.
Blue lights installed in the base of the courthouse dome displayed nightly in recognition of health care workers and first responders battling the pandemic. (Photo by A. Carron)

5. Historic Courthouse Holding Facility in Auburn

The grand jury inspected the holding facility at the Historic Courthouse on October 9, 2019. Completed in 1898, the building now poses some security challenges. The inspection was led by two sworn staff of Placer County Sheriff's Office who take pride in working at the historic building.

- The roll-up gate to the small sally port area is operated by key; staff report it is at times awkward to operate.
- Inmates are escorted up an inside staircase to the holding cell area. Some of the screening material in the sally port area and on staircase windows does not offer full privacy.
- The Historic Courthouse has three holding cells, one interview room, and a desk for the deputies, all of which are contained in a small area.
- Members of the public entering the Historic Courthouse are required to pass through a metal detector and security check at the front door. All bags are inspected.
- Images generated by some of the security cameras are of such poor quality that they are of little use to the deputies who monitor them. Some areas in the building have no security camera coverage. Due to security and safety considerations, the grand jury does not specify here the locations of greatest concern. The outdated security system is a safety issue for everyone who enters this building.

6. Burton Creek Substation in Tahoe City

The grand jury inspected the Burton Creek holding facility on November 4, 2019. This facility includes holding cells for detainees, a courtroom, and offices to support operations of the Sheriff's Office and the District Attorney. The facility has four basic holding cells for up to eight inmates and one interview room.

The Burton Creek Substation was originally constructed to support the needs of the Placer County Sheriff's Office during the 1960 Winter Olympics. Prior grand juries have highlighted the need for the Burton Creek facility to be updated or completely rebuilt. For a concise recap, see ***Placer County Grand Jury 2017–18 Final Report: Placer County Sheriff's Burton Creek Substation—A 30-Year Historical Review***, which states in part:

> *Throughout the past thirty years, the Grand Jury has evaluated the Burton Creek facility, as part of its mandated responsibility to conduct annual jail facility inspections and to report its findings to the Board of Supervisors. During this time, the Grand Jury, Placer County Sheriff's Office and the Board of Supervisors have agreed this aging facility should be replaced. Since 1989, funds have been allocated to relocate the substation or to build a comprehensive Tahoe Justice Center. Instead, the county has ultimately transferred these funds to other capital expenditures. Safety concerns have also repeatedly been highlighted in previous Grand Jury reports. The Board of Supervisors has not always followed through with assurances to the Grand Jury to correct these inadequacies.*

Following capital planning workshops in the spring and fall of 2019, County Supervisors directed staff to amend the County's *Five-Year Facilities Capital Improvement Plan* to add the Tahoe Justice Center as a project anticipated to begin construction in FY 2024–25. The Tahoe Justice Center would accommodate needs of the Placer County Sheriff's Office, Probation Department, District Attorney, Public Defender and Courts; Placer County Sheriff's Office would no longer have to pay Nevada County over $400,000 annually to accept Placer County detainees. Previous grand juries have reported that the Burton Creek building has exceeded its

useful life. This facility is not compliant with guidelines of the Americans with Disabilities Act (ADA).

- The Burton Creek Substation, a temporary holding facility, is staffed with jail personnel Monday through Thursday from 7:00 a.m. to 4:00 p.m. only. The holiday schedule varies as needed.
- Any detainees requiring ADA-compliant services or weekend or evening detention must be transported either to Auburn Main Jail or to Nevada County Jail in Truckee, depending on officer availability.

Conclusion

All Placer County jails and holding facilities are well-managed. The holding facility at the Santucci Courthouse is modern and allows for safe transfer of inmates. Staff at all three detention facilities strive to offer inmates improved educational and vocational opportunities, as well as expanded mental and physical health care. The security system at the Historic Courthouse needs updating. Burton Creek Substation functions on a restricted schedule and uses out-of-county facilities to meet community need.

Findings

The grand jury finds:

F1: The three jail facilities and three holding facilities are clean, well-managed, and well-maintained.

F2: The inmates respond favorably to work opportunities offered at the Minimum-Security facility. Inmate workers manifest a markedly positive attitude.

F3: The sewing program at the Minimum-Security facility is an exceptional example of a work opportunity with the potential to transform the inmates' lives while increasing their motivation and self-esteem.

F4: The tunnel between the South Placer Adult Jail and the Santucci Courthouse makes the transfer of inmates more safe, efficient, and secure.

F5: Operation by key of the gate to the secure sally port at the Historic Courthouse is laborious and outdated.

F6: Most security cameras at the Historic Courthouse offer images of very poor quality. Certain key locations have no security surveillance at all.

F7: The Burton Creek facility should be replaced. Although a plan exists to replace the facility in FY 2024–25, the need is more immediate. The Tahoe City area requires a modernized and expanded facility that will allow inmates held in Tahoe City to be kept in-county.

Recommendations

The grand jury recommends:

R1: By October 1, 2020, develop a plan and cost analysis of expanding successful work programs for inmates at the minimum-security jail.

R2: By October 1, 2020, replace the keyed gate to the sally port at the Historic Courthouse with a magnetic fob, to allow for easier operation of the gate.

R3: By October 1, 2020, evaluate the surveillance cameras at the Historic Courthouse. Replace poorly functioning security cameras and add cameras in a few key areas. Install new cameras and surveillance improvements within 180 days of the evaluation.

R4: By October 1, 2020, evaluate the possibility of expediting the planning and construction of the new Tahoe Justice Center ahead of schedule.

Request for Responses:

Pursuant to Penal Code §933.05, the Placer County Grand Jury requests responses from the following governing or elected officials:

	Recommendations Requiring Response	Response Due Date
Sheriff Devon Bell **Placer County Sheriff's Office** 2929 Richardson Drive Auburn, CA 95603	**R1 thru R4**	**October 1, 2020**
Bonnie Gore, Chair **Placer County Board of Supervisors** 175 Fulweiler Avenue Auburn, CA 95603	**R4**	**October 1, 2020**

Copy sent to:

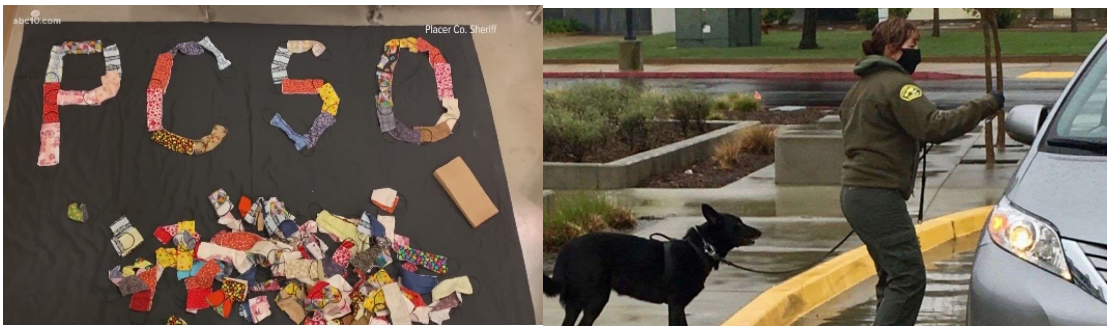
Jake Chatters
Court Administrative Officer
Placer County Superior Court
P.O. Box 619072
Roseville, CA 95661

ATTACHMENT A

The 2019–2020 Placer Grand Jury applauds the efforts of South Placer Minimum Security Jail's Sewing Team. While learning a trade, building confidence, and often restoring their self-esteem, these inmates show outstanding community spirit. *(Photos courtesy Placer County Sheriff's Office)*

Patchwork puppy and matching blanket.
Stuffed animals and blankets like these are given to children caught in traumatic circumstances, such as a catastrophic event, domestic violence incident, or intervention by protective services.

Inmates on the Sewing Team pitch in and make face masks to help combat spread of COVID-19



Many hundreds of masks made by inmates on the Sewing Team were distributed to the public by staff of Placer County Sheriff's Office (PCSO).

Rocklin Police Department Holding Facility

Annual Inspection

(Photo by V. Steele-Pirie)

Rocklin Police Department Holding Facility: Annual Inspection

Summary

On January 9, 2020, the Placer County Grand Jury inspected the Rocklin Police Department holding facility located at 4080 Rocklin Road, Rocklin. The grand jury found the facility to be clean and well-managed.

Background

Section 919(b) of the California Penal Code mandates "The Grand Jury shall inquire into the condition and management of public prisons within the county."

Methodology

Rocklin Police Department sworn staff escorted the grand jury on the January 9, 2020 tour of the Rocklin holding facility.

Facts

- The adult holding area includes one group cell, one booking cell, and two attorney,client meeting cells.
- In a separate and open area, two juvenile holding cells always remain unlocked. Whenever a minor is being held, an officer is stationed immediately outside the door of the holding cell to monitor the minor. Depending on charges pending, minors are released to a parent or guardian soon after arrival at the holding facility.
- The facility has a sally port, a secured entry, for safe and efficient delivery of detainees to the station for processing.
- The holding facility is clean and well-maintained.
- The Rocklin Police Department often takes individuals to South Placer Jail for booking. Overall, the use of South Placer Jail has dramatically reduced the number of individuals held at the Rocklin facility.

Conclusion

The Rocklin Police Department holding facility is well-maintained.

Findings

The grand jury finds:

F1: The adult and youth holding facilities were clean and well-maintained. The grand jury noted no exceptions.

F2: Although its use has diminished in recent years due to changes in booking procedures, the facility remains an asset to community-based policing in the City of Rocklin.

Recommendations and Request for Responses

The Placer County Grand Jury makes no recommendations. Responses are not required.

Copies sent to:

Chief Chad Butler
Rocklin Police Department
4080 Rocklin Road
Rocklin, CA 95677

Steven Rudolf
Rocklin City Manager
3970 Rocklin Road
Rocklin, CA 95677

Greg Janda, Mayor
Rocklin City Council
3970 Rocklin Road
Rocklin, CA 95677

Placer County Juvenile Detention Facility

Annual Inspection

(Photo by L. Brown)

Placer County Juvenile Detention Facility: Annual Inspection

Summary

On Wednesday, October 23, 2019, the Placer County Grand Jury inspected the Placer County Juvenile Detention Facility located at 11260 B Avenue (Dewitt Center) in Auburn. The grand jury found the facility to be clean, well-maintained, and well-managed.

The detention facility staff was knowledgeable of the legal requirements of youth detention under state and Federal law. The staff is responsible for encouraging goalsetting, substance abuse prevention, rehabilitation, and reduction of recidivism. Through Placer County Office of Education (PCOE), youths in detention are encouraged to complete credits for high school diploma or prepare for the diploma equivalency exam, to increase employability, and to learn job-seeking skills.

Background

Section 919(b) of the California Penal Code mandates "The Grand Jury shall inquire into the condition and management of public prisons within the county." This requirement includes the inspection of juvenile detention facilities. This detention facility is operated by the Placer County Probation Department, pursuant to Title 15, Division 4 of the California Code of Regulations, and Chapter 2 of the Welfare and Institutions Code, specifically §§ 636.2, 852.

Methodology

On October 23, 2019, the grand jury conducted its inspection of the facility, using a grand jury-developed checklist. Probation Department staff led the tour.

Earlier that day, the grand jury interviewed the Executive Director of Student Services for Placer County Office of Education, who is also the lead credentialed teacher at the juvenile detention facility.

While inspecting the facility on October 23, 2019, the grand jury interviewed two juveniles (one male, one female).

Facts

During its annual inspection, the grand jury either observed, or gathered from staff, the following information:

- The detention facility can house a maximum of 78 youths; up to 18 of these detainees may be held in a maximum-security unit.
- At the time of inspection, the number of youths in detention was 16, down from an average of 22 three years' prior (see Placer County Grand Jury Report of 2016–2017).
- At the time of inspection, the ratio of staff to youths in detention met California state requirements.
- At detainee orientation, staff review facility rules, grievance procedures and disciplinary practices.
- Females and males occupy the same housing pods, each with individual quarters. Probation Department staff supervise them 24/7.
- Staff are flexible in accommodating the needs of transgender youth in detention, in accordance with individual need.
- The average length of stay for youths in detention is about 18 days.
- Youths in custody are allowed two hours per week for visitation, with extra time allowed during weeks of court hearings.
- Detainees may keep approved personal possessions in their sleeping quarters.
- Meals offered at this juvenile detention facility are prepared at the South Placer County Jail in Roseville.
- Youths are offered one hour of physical education daily.
- A variety of religious services are available to detainees.
- A range of programs provide volunteer activities for the youths. A few examples are yoga, prep server, workability, hip-hop, and animal therapy.
- Instructional staff includes two teachers credentialed in Special Education and one student support practitioner.
- The facility offers classes to prepare for the General Educational Development (GED) examination, as well as opportunities to complete credits for high school and Sierra College.
- The grand jury interviewed two detainees, one male and one female. Both appeared relaxed and said they had been well-treated by staff. Both were actively participating in educational services offered and were working toward specific goals. Both reported feeling comfortable asking staff when looking for guidance. Both said they disliked the meals offered and described the food as "bland." Aside from this complaint regarding food, neither had anything negative to report about the facility or staff.

Conclusion

The Placer County Juvenile Detention Facility appears clean, well-maintained, and well-managed. Facility staff are dedicated to motivating the youths to rehabilitate, redirect themselves, and succeed.

Findings

The grand jury finds:

F1: The youth detention facility is clean, well-maintained, and well-managed. The grand jury noted no exceptions.

F2.: The educational opportunities at the youth detention facility continue to improve.

F3: The facility staff are dedicated to motivating these youths and supporting their rehabilitation. This progressive approach of the staff was directly reflected in the positive attitudes of the youths interviewed.

Recommendations and Request for Responses

The Placer County Grand Jury makes no recommendations. A response is not required.

Copies Mailed to:

Bonnie Gore, Chair
Placer County Board of Supervisors
175 Fulweiler Avenue
Auburn, CA 95603

Marshall Hopper, Chief Probation Officer
Placer County Probation Department
2929 Richardson Drive, Suite B
Auburn, CA 95603

Joseph Netemeyer, Assistant Chief Probation Officer
Placer County Juvenile Detention Center
2929 Richardson Drive, Suite B
Auburn, CA 95603