

**Grand Jury Report
RESPONSE FORM**

RE: Report Titled: *Are We Having Fun Yet*

Report Dated: March 15, 2011

Response Form Submitted By:

Shari Schapmire
Mendocino County Treasurer/Tax Collector
501 Low Gap Road, Room #1060
Ukiah CA 95482

Response MUST be submitted, per Penal Code §933.05, no later than: July 24, 2011

I have reviewed the report and submit my responses to the FINDINGS portion of the report as follows:

I (we) agree with the Findings numbered:

10, 11, 12, 13

I (we) disagree wholly or partially with the Findings numbered below, and have ***attached, as required***, a statement specifying any portion of the Finding that are disputed with an explanation of the reasons therefore.

9, 14, 15

Neutral 16

I have reviewed the report and submit my responses to the RECOMMENDATIONS portion of the report as follows:

The following Recommendation(s) have been implemented and ***attached, as required***, is a summary describing the implemented actions:

The following Recommendation(s) have not yet been implemented, but will be implemented in the future, ***attached, as required*** is a time frame for implementation:

- The following Recommendation(s) require further analysis, and attached as required, is an explanation and the scope and parameters of the planned analysis, and a time frame for the matter to be prepared, discussed and approved by the officer and/or director of the agency or department being investigated or reviewed: (This time frame shall not exceed six (6) months from the date of publication of the Grand Jury Report)
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- The following Recommendations will NOT be implemented because they are not warranted and/or are not deemed reasonable, attached, as required is an explanation therefore:
-

I have completed the above responses, and have attached, as required the following number of pages to this response form:

Number of Pages attached: 1

I understand that responses to Grand Jury Reports are public records. They will be posted on the Grand Jury website: www.co.mendocino.ca.us/grandjury. The clerk of the responding agency is required to maintain a copy of the response.

I understand that I must submit this signed response form and any attachments as follows:

First Step: E-mail (word documents or scanned pdf file format) to:

- The Grand Jury Foreperson at: grandjury@co.mendocino.ca.us
- The Presiding Judge c/o: sally.nevarez@mendocino.courts.ca.gov
- The County's Executive Office: angeloc@co.mendocino.ca.us

Second Step: Mail all originals to:

Mendocino County Grand Jury
P.O. Box 939
Ukiah, CA 95482

Printed Name: Shari L. Schapmire
Title: Treasurer - Tax Collector

Signed: Shari L. Schapmire Date: July 19, 2011

Findings – Mendocino County Treasurer-Tax Collector

9) Veterans and non-profit organizations, under Mendocino County Code, Title 6, Chapter 6.16, Section 6.16.080, are exempt from *Outdoor Festival Permit* fees with proper documentation. Veterans must provide a copy of Form DD-214 with the application; non-profit organizations must provide their Federal Tax ID Number and Articles of Incorporation with the application.

Partially Disagree – The Veterans exemption is not discussed in Mendocino County Code, Title 6, Chapter 6.16, Section 6.16.080, but is applicable due to Business and Professions Code Section 16102. This exemption is not granted to any individual who sells alcoholic beverage. The remaining information is correct.

14) Fairgrounds operated by the State of California, County of Mendocino, or other public entities are exempt from fees.

Partially Disagree – Information is correct but should also include exempt from the requirements of Chapter 6.16.

15) The application for an *Outdoor Festival License* shall be filed with the MCTTC no later than three weeks prior to the event, and shall be accompanied by a non-refundable fee. Applications must be accompanied by either a Use Permit or Administrative Permit from P&BS, if applicable.

Partially Disagree – The first sentence is correct. As far as the second sentence, the *Outdoor Festival Permit* application that this office submits to the Board of Supervisors for approval does not include either a Use Permit or Administrative Permit from P&BS. Currently, the *Outdoor Festival Permit* process and the P&BS process are handled independently of each other; this creates an extremely redundant situation for applicants. Typically, the applicant applies for necessary permits through P&BS several months prior to the event and then ends up supplying many of the same documents to our office for inclusion in the Board packet. Nowhere in the *Outdoor Festival Ordinance* does it instruct the tax collector to include information regarding zoning information. Even if the applicant receives approval from the Board of Supervisors and a license from the tax collector, P&BS can shut the event down if certain conditions are not met.

16) Property zoned General Commercial (C2), requires no permit from P&BS; organizers may be required to pay a license fee to the MCTTC.

Neutral – I have no knowledge on the P&BS requirements for property zoned General Commercial (C2). As stated above, zoning is not a condition of the *Outdoor Festival Permit* application process.