



County of Mendocino
Grand Jury
www.co.mendocino.ca.us/grandjury

Post Office Box 629
Ukiah, CA 95482
(707) 463-4320

REPORT TRANSMITTAL AND REQUEST FOR RESPONSES - FORMAT

Barbara Spazek, Executive Director
Russian River Flood Control and
Conservation Improvement District
151 Laws Avenue
Ukiah, CA 95482

June 24, 2008

RE: Report Titled **“REDWOOD VALLEY COUNTY WATER DISTRICT”**
Dated: May 23, 2008

Attached is a copy of the above report by the 2007-08 Mendocino County Civil Grand Jury. Penal Code §933.05(f) specifically prohibits disclosure of the contents of this report by a public agency or its officers or governing body prior to the release to the public. You will be notified when the report is released to the press. This will occur no sooner than two (2) days after the date of this letter.

Response to Grand Jury Reports is required pursuant to Penal Code §933.05 (copy enclosed). Penal Code §933.05 also requires that your response to the Findings and Recommendations contained in the report be in writing and that it be submitted within **60 days for elected officials** or within **90 days for appointed officials and governing bodies** (including such entities as school boards and the Board of Supervisors). The Penal Code is specific as to the format of responses. The enclosed Response to Grand Jury Report Form should be used.

Please send response as an e-mailed attachment to: the Grand Jury Foreman at grandjury@co.mendocino.ca.us with copies to the Presiding Judge at grandjury@co.mendocino.courts.ca.gov and to the Chief Executive Officer at: millerddkm@co.mendocino.ca.us. **Please also send one signed hard copy to:**

**Mendocino County Grand Jury
P.O. Box 629
Ukiah, CA 95482**

Your responses should follow the following format :

Findings

I (we) agree with the findings numbered: _____

I (we) disagree wholly or partially with the Findings numbered:

(attach a statement specifying any portions of the Findings that are disputed; include an explanation of the reasons therefore.)

Recommendations

Recommendations numbered: _____ have been implemented. (attach a summary describing the implemented actions.)

Recommendations numbered: _____ have not yet been implemented, but will be implemented in the future. (attach a time frame for planned implementation)

Recommendations numbered: _____ require further analysis. (attach an explanation and the scope, parameters, and timeframe of the planned analysis including discussion and approval by the officer and/or director of the agency or department being investigated or reviewed and/or the governing body of the public agency when applicable. This time frame 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 and/or are not deemed reasonable. (attach an explanation.)

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.

Date: _____ Signed: _____ # of Pages _____

Should you have any questions, please contact me at **grandjury@co.mendocino.ca.us** or at the address above.

Sincerely,

Dennis Scoles, 2007-08 Foreman

RESPONSE PROCEDURE TO GRAND JURY REPORTS

The governance of responses to Grand Jury Final Report is contained in Penal Code § 933 and § 933.05. Responses must be submitted within 60 or 90 days. Appointed officials and governing bodies (e.g., school boards or the Board of Supervisors) must respond within ninety (90) days; elected officials must respond within 60 days. **Please submit responses as e-mail attachments to:**

- **The Grand Jury Foreperson at:** grandjury@co.mendocino.ca.us
- **The Presiding Judge:** grandjury@mendocino.courts.ca.gov
- **The Chief Executive Officer:** milledkm@co.mendocino.ca.us

Mail one signed hard copy to the Grand Jury at P.O. Box 629, Ukiah, CA 95482.

Report Title : “REDWOOD VALLEY COUNTY WATER DISTRICT”

Response by: Executive Director Russian River Flood Control and Conservation Improvement District

Date Due: September 24, 2008

Findings

- I (we) agree with the findings numbered:

- I (we) disagree wholly or partially with the Findings numbered:

(attach a statement specifying any portions of the Findings that are disputed; include an explanation of the reasons therefore.)

Recommendations

- Recommendations numbered: _____ have been implemented. (attach a summary describing the implemented actions.)

- Recommendation numbered: _____ have not yet been implemented, but will be implemented in the future. (attach a time frame for implementation)

- Recommendations numbered: _____ require further analysis. (attach 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)

- Recommendations numbered: _____ will not be implemented because they are not warranted and/or are not deemed reasonable. (attach an explanation.)

Date: _____ Signed: _____

Number of response pages attached: _____

RESPONSES TO GRAND JURY REPORTS SUMMARY OF PC 933.05

Penal Code § 933.05 provides for only two (2) acceptable responses with which agencies and/or departments (respondents) may respond with respect to the **findings** of a Grand Jury report :

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

Penal Code § 933.05 provides for only four (4) acceptable responses with which agencies and/or departments (respondents) may respond with in respect to the **recommendations** of the Grand Jury.

1. The recommendation has been implemented, with a summary regarding the implemented action.
2. The recommendation has not yet been implemented, but will be 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, with a timeframe for the matter to be prepared for discussion by the officer or head of the agency/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.***
4. The recommendation will not be implemented because it is not warranted or is not reasonable, with a detailed explanation therefore.

However, If a finding and/or recommendation of the Grand Jury addresses **budgetary** or **personnel** matters of a county agency/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/department.