

## **ITEM #7A**

*Discussion and Review for the Board and Counsel of staff's progress in responding to the Grand Jury Report. Staff will discuss organization and presentation, and requests comments and/or suggestions.*



## **DEL PASO MANOR WATER DISTRICT BOARD SPECIAL MEETING STAFF REPORT**

**MEETING DATE: December 20, 2021**

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**AGENDA ITEM 7A Discussion and Review for the Board and General Counsel of staff's progress in responding to the Grand Jury Report. Staff will discuss organization and presentation and requests comments and/or suggestions.**

### **EXECUTIVE SUMMARY**

The Del Paso Manor Water District is required to respond to the November 4, 2021 Grand Jury Report no later than February 4, 2022. Staff requests the Board of Directors consider the proposed outline for the response and provide direction on potential subject matter.

### **BACKGROUND**

On or around December 14, 2021 the District's General Counsel received a formal written response from Judge Hom, who is the judge assigned to the Grand Jury. (See, Attachment 1). While his letter is dated February 7, 2021, we believe that was simply in error. In Judge Hom's letter, he explains that "the Court denies your request to allow the Board to respond in lieu of as response from President Ryan Saunders" but "the Court grants your request, on behalf of President Saunders, to extend his 60 day response time under Penal Code section 933(c) to February 4, 2022.

Consequently, both responses to the November 4, 2021 Grand Jury Report are due on February 4, 2022.

Staff, with the assistance of prior General Managers, have been developing a very detailed response to the November 4, 2021 Grand Jury Report that will be heavily supported with backup documents. Our suggested organization is:

1. An introduction that presents a summary intended for residents and others without a lot of technical information.
2. A traditional Executive Summary of the presentation.

3. The body of the report will provide the District's response to each of the Grand Jury's Findings and Recommendations. By way of example, the response to Finding 1 will include:
  - a. A brief summary of the history from founding of the District to 2006.
  - b. A detailed discussion of the District from 2006 to May 2019.
  - c. A detailed discussion of the District from January 2019 to August 2021.
4. The response to the remaining Findings will likely be more succinct, having already provided the bulk of background information in the response to Finding 1.
5. The response to each Recommendation will likely identify how the District has begun its implementation of the recommendation or the potential timeline for such implementation if appropriate.

General Counsel has requested a draft by January 17, 2022 in order to allow sufficient time to review and assist with potential revisions or additions. Staff will be forwarding sections as the drafts are completed.

This substantial filing must be commercially copied and submitted to the Grand Jury no later than February 4, 2022, which can be coordinated by our office manager.

### **ENVIRONMENTAL CONSIDERATIONS**

The consideration and creation of the District's response to the November 4, 2021 Grand Jury Report is not a project for purposes of CEQA.

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**STAFF RESPONSIBLE FOR REPORT: Alan Gardner, General Manager**



SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SACRAMENTO

**RUSSELL L. HOM**  
PRESIDING JUDGE  
DEPARTMENT 47

720 NINTH STREET  
SACRAMENTO, CA 95814  
(916) 874-5487

February 7, 2021

Mona G. Ebrahimi  
Kronick, Moskovitz, Tiedemann & Girard  
1331 Garden Highway, 2<sup>nd</sup> Floor  
Sacramento, CA 95833

Re: Request for Extension for Response to Grand Jury Report Entitled "Del Paso Manor Water District Flooded with Public Safety Dangers"

Dear Ms. Ebrahimi:

I am writing in response to your letter, dated December 2, 2021, pertaining to the response deadlines relative to the Sacramento County Grand Jury report entitled "Del Paso Manor Water District Flooded with Public Safety Dangers." I have had the opportunity to confer with Judge Gevercer, the Grand Jury Advisor.

In light of the facts and circumstances set forth in the Grand Jury report, and the update you have provided to the Court in your recent letter, the Court responds as follows.

First, the Court denies your request to allow the Board to respond in lieu of a response from President Ryan Saunders.

Second, the Court grants your request, on behalf of President Saunders, to extend his 60 day response time under Penal Code section 933(c) to February 4, 2022.

Thank you very much for your prompt attention to this matter.

If you have any questions, please do not hesitate to contact either myself or Judge Gevercer.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'R. Hom', with a stylized flourish at the end.

Russell L. Hom

Presiding Judge

Cc: Judge Steven Gevercer