

El Dorado County District Attorney's Office Response
to El Dorado County Grand Jury April 5, 2024 Case #24-05
"El Dorado Hills CSD: Controversy and Concerns Demand Change"

The 2023-2024 Grand Jury has requested responses from the District Attorney's Office to Findings F1-F6 and Recommendations R3 and R4.

Grand Jury Findings F1-F6:

F1 - The CSD Board of Directors for the last two plus years failed to provide adequate oversight of their General Manager to know that he had an outside consulting role at one of CSD's contractors. Such outside work posed serious questions about a potential conflict of interest.

F2 - CSD Board members subsequently failed to act in a timely way on the then-GM's potential conflict of interest.

F3 - CSD Board members appeared to have engaged in a serial meeting in violation of the Ralph M. Brown Act and CA Govt Code Section 53262 when they individually approved the GM's outside consulting work, leading to a notice from the District Attorney's Office requesting additional training.

F4 – Brown Act training has been optional for CSD Board members and staff, while AB 1234 Chapter 700 Ethics training is required.

F5 – Then-CSD GM failed to properly disclose income received from his consulting arrangement with DTA, a CSD contractor, on his Fair Political Practices Commission (FPPC) Form 700, which he signed under penalty of perjury.

F6 - Then-CSD GM performed business development work to find new clients for DTA which, as far as the Grand Jury can verify from reviewed documents, was unrelated to CSD's contracts with DTA.

District Attorney Response to Findings F1-F6:

Although these findings are not about the El Dorado County District Attorney's Office, and our office did not participate in every aspect of the Grand Jury's investigation of the EDHCSD, we are informed and believe and therefore generally agree with these Grand Jury findings concerning the EDHCSD.

Grand Jury Recommendations R3 and R4:

Grand Jury Recommendation 3:

R3 – Within 90 days, the County District Attorney’s office should continue to investigate Brown Act or CA Government Code Section 53262 violations by the CSD Board unless and until the CSD Board gets appropriate Brown Act and Ethics training.

District Attorney’s Office Response:

Agree. This investigation is ongoing and our office will look into what trainings CSD receives in response to the Grand Jury Report.

Grand Jury Recommendation 4:

R4 – By December 31, 2024, the County District Attorney’s office should complete the investigation of any potential ethics or conflicts of interest violations, including required FPPC Form 700 disclosures, raised by the former GM’s consulting arrangement with DTA.

District Attorney’s Office Response:

Agree. This investigation is ongoing.