



EL DORADO COUNTY  
GRAND JURY 2022-2023

---

Continuity and Compliance Report  
Case #22-23 GJ05

---

June 30, 2023

# **EL DORADO COUNTY 2022–2023 GRAND JURY**

## **COMPLIANCE AND CONTINUITY REPORT**

Case # 22-23 GJ05

### **SUMMARY**

The El Dorado County (EDC) Civil Grand Jury (Grand Jury) may appear to be an institution that exists continuously. However, it is really a series of individual grand juries, each of which exists for exactly one year, as mandated in the California Constitution and statutes. No jury is a continuance of any other. Each grand jury exists independently and separately from all others.

### **BACKGROUND**

Each County's Grand Jury investigates County government operations during its one-year term. It can also investigate city governments, agencies, and special districts within the County. Each investigation can generate a report containing evidence, with findings of fact derived from that evidence, and can recommend actions based on those findings. Each report requires responses to reported findings and recommendations from officials responsible for the report.

Grand Jury reports may be published and released at any time during the grand jury term. The time involved in conducting investigations, evaluating information gathered, and writing the reports, results in reports most frequently published near the end of the term.

Responses must be made within 60 or 90 days from the date the grand jury report is published. All reports are published close to the end of the grand jury's term. Responses to grand jury reports are usually received after the issuing grand jury's term has ended. The subsequent sitting EDC Grand Jury receives the responses instead of the issuing grand jury. That grand jury must then evaluate those responses for statutory compliance and completion, providing a semblance of grand jury continuity.

## **METHODOLOGY**

The 2022-23 Grand Jury:

Reviewed California Penal Code §933 and §933.05 and other sections relevant to report responses, findings, and recommendations;

Reviewed the 2021-22 EDC Grand Jury reports and responses; and

Communicated with the Auditor-Controller after reviewing his responses. The Continuity Committee sent a letter, dated February 14, 2023, asking for an update. This was followed by three separate emails, dated March 10, 2023, March 23, 2023, and April 18, 2023, respectively.

## **DISCUSSION**

The current EDC Grand Jury reviewed responses to the 2021-22 Grand Jury reports. This review is intended to ensure that prior grand juries' work is not disregarded. In most cases, responses were timely and complied with provisions of the California Penal Code. Follow-up actions specified in the responses had either been implemented, were in the process of being implemented, were not being implemented, or required further analysis.

The EDC Grand Jury commends local agencies and districts which provided timely and compliant responses to prior grand juries' reports and their commitment to implementing recommendations for improving programs and services. However, in Grand Jury Case #21-02, Analysis of County Employee Timekeeping, and Case #21-06, Hotel Emergency Housing for Homeless Western Slope, the Auditor-Controller's responses to the 2021-22 Grand Jury's recommendations were incomplete.

Penal Code §933.05, subdivision (b), states that, 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 therefor.

### **Case #21-02 – Analysis of County Employee Timekeeping**

#### **Recommendation 3 – Employee Timekeeping**

The County Auditor-Controller should pursue modifications to Kronos that would enable time entry to be “locked” to employees after a 24-hour window following their workday to ensure timeliness of entry within 180 days of this report.

The Auditor-Controller responds that this recommendation requires further analysis but has not, as of the date of this report, provided an explanation, the scope and parameters nor a timeframe concerning his analysis.

#### **Recommendation 4 – Employee Timekeeping**

The County Auditor-Controller should implement internal semi-annual audits of time entry, confirming that time entered matches time worked and determining the accuracy of project coding within 120 days of this report.

The Auditor-Controller responds that this recommendation requires further analysis but has not, as of the date of this report, provided an explanation, the scope and parameters nor a timeframe concerning his analysis.

#### **Recommendation 5 – Employee Timekeeping**

The County Auditor-Controller should provide a written list of approximate proxy classifications eligible to approve departmental payroll in the department head's absence within 120 days of this report.

The Auditor-Controller responds that this recommendation requires further analysis but has not, as of the date of this report, provided an explanation, the scope and parameters nor a timeframe concerning his analysis.

#### **Recommendation 6 – Employee Timekeeping**

The Grand Jury recommends that the Chief Administrative Office and Auditor-Controller co-sponsor a committee to improve the communication between the Auditor-Controller Payroll Department and their counterparts in the other County departments within 90 days of this report.

The Auditor-Controller responds that this recommendation requires further analysis but has not, as of the date of this report, provided an explanation, the scope and parameters nor a timeframe concerning his analysis.

### **Case #21-06, Hotel Emergency Housing for Homeless Western Slope**

#### **Recommendation 2 – Hotel Emergency Housing**

The Auditor-Controller's Office should establish written procedures for processing credit card payments for emergency homeless hotel stays, including the process and procedures to be followed if there is hotel damage or unauthorized charges from the stay, and distribute throughout County departments. These written procedures should be distributed by September 30, 2022.

The Auditor-Controller responds that this recommendation requires further analysis and feels that this recommendation is not necessary if Health and Human Services Agency and Probation enter into contracts with the hotels that are utilized for emergency housing. The Auditor-Controller's Office, however, has not, as of this report's date, provided a timeframe concerning his analysis.

As a method to capture the results of the evaluation of the responses, this Grand Jury used Grand Jury Recommendations and Responses Summary Spreadsheets of prior reports created by the prior Grand Jury. The spreadsheets include reports completed by the Grand Juries by year (from 2000-01), categorizes them by topic, summarizes the recommendations and responses for follow-up actions, and tallies the results. Also, to better inform the public of the Grand Jury's work and of their recommendations, the spreadsheets will be included in the County's Grand Jury website. The intention is that the spreadsheets will be updated annually by subsequent Grand Juries.

## **FINDINGS**

- F1 Follow-up actions specified in the responses have been completed or are in the process of being implemented, except in the case of the Auditor-Controller for Case #21-02 and Case #21-06.

## **RECOMMENDATIONS**

- R1 The incoming Grand Jury should review the 2021-22 reports and responses for information.
- R2 Review the Auditor-Controller's responses to Findings and Recommendations of Case #21-02 and Case #21-06 and follow-up with the Auditor-Controller.