



PLACER COUNTY GRAND JURY

Review of Placer County Government and Special District/Agency Websites

June 26, 2015

Review of Placer County Government and Special District/Agency Websites

Summary

The California Public Records Act (CPRA) requires full disclosure of actions taken by elected officials and public access to all public records, with some limited exceptions. Although not required by CPRA, the 2014-2015 Grand Jury (Grand Jury) holds that the public has come to expect such records are available, or can be made available, through government and agency websites.

The Grand Jury investigated if, and to what extent, Placer County, local cities and special districts were providing these records on their websites. A survey of county, city and special districts websites was conducted by the Grand Jury. Websites for the following entities were included in the survey:

County & Cities

- Placer County
- City of Auburn
- City of Colfax
- City of Lincoln
- Town of Loomis
- City of Rocklin
- City of Roseville

Special Districts/Agency

- Northstar Community Service District
- San Juan Water District
- Placer County Water Agency
- South Placer Municipal Utility District
- Truckee-Tahoe Airport District

Survey results indicated that all the agencies had functioning websites and, through them, the public has access to an extensive array of useful information. Agendas, records of public meetings, budgets, access to governmental functions, and general information on services, taxes, contact information, helpful links and more were found to be available to varying degrees on the websites.

The Grand Jury commends all the entities surveyed for their efforts to make records easily available to the public through their websites. However, as good as the websites are, the Grand Jury found several areas for improvement.

The Grand Jury found that a lack of consistency in websites makes locating similar information on different websites difficult and time consuming. It is recommended that a Placer county inter-

agency committee should be convened to establish a best-practices guide for city and county websites.

Some of the websites contain outdated information of questionable value to the public. It is recommended that all documents and information on government and special district websites be subject to an annual review to assure all information is still current and pertinent.

The Grand Jury found that none of the surveyed websites posted operating policies covering employee travel and use of entity owned assets, such as vehicles, credit cards, cell phones and computers. The Grand Jury recommends that these policies be available on the websites. In addition, many of the websites should improve in presenting information on opportunities to bid on government contracts and in displaying the results of such bids.

It was found that some websites included links to make CPRA public documents requests. The Grand Jury recommends that all the websites include this capability.

Additional information on the survey, the Grand Jury findings and all the recommendation details are included in the following pages and in Attachment A.

Background

The California Public Records Act (CPRA) was signed into law in 1968. CPRA is designed to give the public access to information in possession of public agencies. Although there are some specific exceptions, the act generally requires immediate access to public records at all times during business hours. CPRA defines public records as:

“The public may inspect or obtain a copy of identifiable public records. Writings held by state or local government are public records. A writing includes all forms of recorded information that currently exist or that may exist in the future. The essence of the CPRA is to provide access to information, not merely documents and files.”¹

When CPRA was signed into law, the Internet was not yet available. The use of websites to distribute information to the public was not envisioned. Currently, the public takes the Internet and websites, whether business or government, for granted and relies on them to get information.

¹ California Attorney General’s Office, “Summary of the California Public Records Act 2004”, p.3, http://ag.ca.gov/publications/summary_public_records_act.pdf

With the dramatic rise of the Internet over the past two decades, the public's approach to gathering information has changed. For many in the public, the Internet is utilized first to try and find information, and only as a last resort will they visit a physical office. It seems consistent with "the spirit of the CPRA", that virtually all public records would be accessible via government and agency websites. The Grand Jury was interested in learning to what extent Placer County, local cities and special districts have migrated their records to websites and enabled easy online access to information on governance and finances.

Investigation Methods

In order to assess the extent of information available on government websites, the Grand Jury performed online reviews of the websites for the following entities:

County & Cities	Special Districts/Agency
<ul style="list-style-type: none">• Placer County• City of Auburn• City of Colfax• City of Lincoln• Town of Loomis• City of Rocklin• City of Roseville	<ul style="list-style-type: none">• Northstar Community Service District• San Juan Water District• Placer County Water Agency• South Placer Municipal Utility District• Truckee-Tahoe Airport District

The purpose of the online survey was to replicate the actions of the public in trying to access records through agency websites without having to make contact with the agency. The survey was designed to determine to what extent records that would be of interest to the public, including meeting agendas, minutes, audits, operating policies and other information, were available and easily accessible, through the websites. This information was considered by the Grand Jury to be pertinent to providing the public an opportunity to monitor the functioning of government "online" using the Internet and agency websites.

From October to December 2014, jurors independently completed a standardized survey questionnaire for each agency website. The survey focused on assessing the online availability of agendas, records of public meetings, operating policies, budgets, audits and annual reports. The data collected included whether desired documents could be located, how easy or difficult the information was to locate and the time required to navigate the website while trying to locate the desired documents. In trying to locate the information, both the website menus and the website search function were utilized.

Facts

The Grand Jury determined the following facts:

- CPRA does not require the subject documents to be available online.
- All entities surveyed have websites containing information of value to the public.
- Although the websites vary, some of them have more of a focus on general community information (i.e. visitor info, weather, schools, etc.) than on government CPRA information.
- Some websites contain extensive historical information such as economic reports, statistical information on labor forces, housing, business, etc.
- There is a lack of consistency in the organization of information on the various websites.
- The Special District Leadership Foundation has developed a best-practices checklist for what information should be included on a Special District/Agency website.² The Grand Jury was unable to locate any similar guide for cities and counties.
- Some websites include outdated information.
- None of the websites surveyed listed posting dates or expiration dates for information and documents posted.
- Most websites include agendas, minutes of meetings, budgets and financial reports.
- One agency website does not have current agenda and minutes.
- Some of the websites provide video records of meetings.
- Video recordings of county commission and city council meetings allow the public to view the entire proceeding.
- None of the websites have posting dates or sunset dates on information or posted documents.
- Only the Placer County website contains a summary of actions approved by the Board.
- Progress and performance reports on financial results versus budgets are generally only available as agenda exhibits.
- Only four websites provide on-going operating reports regarding expenditures vs. budget.
- All but three websites provide access to opportunities to bid on contracts. There is no consistency in displaying bid awards.

² Special District Leadership Foundation, "District Transparency Certificate of Excellence Checklist", p.1, http://media.wix.com/ugd/e1128e_4ad2fb79879944249dfc30c4a71b8ba3.pdf

- None of the websites include current operating policies, such as employee and elected officials travel, use of government owned vehicles, computers, cell-phones and credit cards; nor do they include policies on purchasing and contract bidding processes.
- Only two of the websites included access to make public CPRA document requests.
- Only the Placer County website provided a link to the Grand Jury website to allow easy access to the Grand Jury complaint form “Confidential Citizen Complaint”.

The survey results are shown in Tables 1 and 2 on the following pages.

Table 1 - County, Cities and Towns

	Placer County	City of Auburn	City of Colfax	City of Lincoln	Town of Loomis	City of Rocklin	City of Roseville
Agendas	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Calendars	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Minutes	Yes, +V	Yes, +V	Yes, A	Yes, A	Yes, NW	Yes, NW	Yes, A
Public Records Request	No	No	No	Yes	No	Yes	No
Current Financial Reports & Audits							
Annual Financial Statement	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Budget	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Operating Statements (Expenditures vs. Budget)	No	No	Yes	No	No	No	Yes
Independent Auditors Report	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Operating Policies							
Contracting	No	No	No	No	No	No	Yes
Bid Opportunities	Yes	No	Yes	Yes	No	Yes	Yes
Bid Awards	Yes, OA	Yes, OA	Yes	Yes	Yes	Yes, OA	Yes, OA
Travel	No	No	No	No	No	No	No
Vehicle Use	No	No	No	No	No	No	No
Computer, Phone & Credit Card Use	No	No	No	No	No	No	No

Table Key Yes Available on the website
 No Not available on the website
 +V Meeting video record available
 A Consent calendar action items are considered minutes
 NW Link Not Working
 OA Only specified in the agenda/minutes

Table 2 - Special Districts/Agency

	Northstar Community Service District	Placer County Water Agency	San Juan Water District	South Placer Municipal Utility District	Truckee Tahoe Airport District
Agendas	Yes, NC	Yes	Yes	Yes	Yes
Calendars	Yes	Yes	Yes	Yes	Yes
Minutes	Yes, NC	Yes, A	Yes, A	Yes, A	Yes, A
Public Records Request	No	No	No	Yes	No
<u>Current Financial Reports & Audits</u>					
Annual Financial Statement	Yes	Yes	Yes	Yes	Yes
FY Budget	Yes	Yes	Yes	Yes	Yes
Operating Statements (Expenditures vs. Budget)	Yes	No	No	No	Yes
Independent Auditors Report	Yes	Yes	Yes	Yes	Yes
<u>Operating Policies</u>					
Contracting	No	No	No	No	No
Bid Opportunities	Yes	Yes	Yes	No	Yes
Bid Awards	N/A	Yes, OA	Yes, OA	Yes, OA	Yes, OA
Travel	No	No	No	No	No
Vehicle Use	No	No	No	No	No
Computer, Phone & Credit Card Use	No	No	No	No	No

Table Key	Yes	Available from website
	No	Not available from website
	+V	Meeting video record available
	A	Agenda approved actions considered minutes
	N/A	No information available
	NC	Information not current
	OA	Only specified in the agenda/minutes

Findings

The Grand Jury found that:

- F1. The websites provide a large variety of information, making many documents readily available to the public without necessitating a CPRA request or physical visit. This information includes data such as:
- locations
 - services
 - business hours
 - governance
 - fees
 - taxes
 - licenses
 - annual financial reports and
 - other governmental or special agency procedures.
- F2. Due to the lack of consistency between websites, locating similar information on different websites is time consuming and exasperating.
- F3. The inclusion of outdated information on the website, besides being of limited value, clutters the website and calls into question other postings on the website. An example is that one website includes labor force statistics and economic reports from 2006.
- F4. The lack of document information, including posting dates and sunset dates, decreases confidence in the validity of data found on the websites.
- F5. Some meeting minutes are not being posted in a timely manner.
- F6. It is generally more difficult to distinguish the minutes when they are embedded in agendas or in videos, rather than posted separately.
- F7. Posting of summarized minutes (abstracts), or a summary of actions taken, would improve the public's experience in trying to understand what governance actions were taken, or what decisions were made or deferred.
- F8. Video recordings of proceedings are beneficial to the public's understanding of their representatives actions in council and board meetings.
- F9. The ability to locate current financial results is improved when financial performance reports are directly posted on the website.

- F10. Lack of consistency in posting of bid opportunities and awards on websites makes it difficult for the public to discern available contracting opportunities and what awards have been approved.
- F11. The public's access to operating policies, applying to elected officials and employees, would be enhanced if these documents were available through the website.
- F12. A link on the website to fill out CPRA document requests improves the public's ability to submit requests.
- F13. A link to the Grand Jury website where the Grand Jury complaint form "Confidential Citizen Complaint" is available enables public access for registering a confidential complaint on line.

Recommendations

The Grand Jury recommends that:

- R1. A website best-practices guide be considered for development in the next 12 months by representatives from Placer County and the Cities of Auburn, Colfax, Lincoln, Rocklin, Roseville and the town of Loomis.
- R2. All Special Districts/Agencies should assure that their websites, at a minimum, meet the best- practices checklist from the Special District Leadership Foundation.
- R3. All website information should be subject to annual reviews to ensure information is still pertinent.
- R4. All documents have a posting and sunset (required removal) date that triggers an automatic archiving of the document.
- R5. All city and special districts webpages should include current written minutes, which include a summary of actions taken and decisions made.
- R6. Posting of complete video recordings of meetings should be investigated to determine if it is economically feasible.
- R7. All websites should include direct links to financial reports, including on-going progress and performance reports on financial results versus budgets.

- R8. Placer County, City of Auburn, City of Colfax, and all special district/agency websites should include access to the policy, process, and posting of current contracting opportunities. Results of bid awards should also be posted.
- R9. Current operating policies covering travel and use of entity owned assets, including vehicles, cell phones, computers, and credit cards should be available on websites or by online CPRA requests.
- R10. Placer County, Auburn and Colfax, along with all special districts, should incorporate into their websites a link to make CPRA Public Records Requests.
- R11. Websites should include a link to the Grand Jury website where the public can access the Grand Jury complaint form "Confidential Citizen Complaint".

Tables 3 and 4 on the following pages specify which recommendations are applicable to each surveyed entity.

Attachment A demonstrates the linkages between the multiple facts, findings and recommendations in this report.

Table 3 – Recommendations for County, Cities and Towns

	Recommendations										
	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	R11
Placer County	X		X	X			X	X	X	X	
City of Auburn	X		X	X	X		X	X	X	X	X
City of Colfax	X		X	X	X	X	X	X	X	X	X
City of Lincoln	X		X	X	X	X	X		X		X
Town of Loomis	X		X	X	X	X	X		X		X
City of Rocklin	X		X	X	X	X	X		X		X
City of Roseville	X		X	X	X	X	X		X		X

Key: X - indicates this recommendation applies.

Table 4 – Recommendations for Special Districts/Agency

	Recommendations											
	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	R11	
Northstar Community Service District		X	X	X	X	X	X	X	X	X	X	X
Placer County Water Agency		X	X	X	X	X	X	X	X	X	X	X
San Juan Water District		X	X	X	X	X	X	X	X	X	X	X
South Placer Municipal Utility District		X	X	X	X	X	X	X	X	X	X	X
Truckee Tahoe Airport District		X	X	X	X	X	X	X	X	X	X	X

Key: X - indicates this recommendation applies.

Request For Responses

	<u>Recommendations Requiring Response</u>	<u>Response Due Date</u>
Mr. David Boesch Placer County CEO 175 Fulweiler Ave. Auburn, CA 95603	R1, R3, R4, R7-R10	August 24, 2015
Mr. Keith Nesbitt Mayor, City of Auburn 1225 Lincoln Way Auburn, CA 95603	R1, R3-R5, R7-R11	August 24, 2015
Mr. Kim Douglass Mayor, City of Colfax 33 South Main St. Colfax, CA 95713	R1, R3-R11	August 24, 2015
Mr. Paul Joiner Mayor, City of Lincoln 600 Sixth St. Lincoln, CA 95648	R1, R3-R7, R9, R11	August 24, 2015
Ms. Rhonda Morillas Mayor, Town of Loomis 3665 Taylor Road Loomis, CA 95650	R1, R3-R7, R9, R11	August 24, 2015
Mr. George Magnuson Mayor, City of Rocklin 3970 Rocklin Rd. Rocklin, CA 95677	R1, R3-R7, R9, R11	August 24, 2015
Ms. Carol Garcia Mayor, City of Roseville 311 Vernon St. Roseville, CA 95678	R1, R3-R7, R9, R11	August 24, 2015

Board of Directors Northstar Community Service District 908 Northstar Drive Northstar, CA 96161	R2 – R11	September 22, 2015
Board of Directors San Juan Water District 9935 Auburn Folsom Road, Granite Bay, CA 95746	R2 – R11	September 22, 2015
Board of Directors Placer County Water Agency P.O. Box 6570, Auburn, CA 95604	R2 – R11	September 22, 2015
Board of Directors South Placer Municipal Utility District 5807 Springview Drive Rocklin, CA 95677	R2 – R11	September 22, 2015
Board of Directors Truckee Tahoe Airport District 10356 Truckee Airport Road Truckee, CA 96161	R2 – R11	September 22, 2015

<i>Facts</i>	<i>Findings</i>	<i>The Grand Jury recommends that:</i>
<p>CPRA does not require the subject documents to be available on-line.</p>	<p>F1- The websites provide a huge amount of information, making many documents readily available to the public without necessitating a CPRA request or physical visit. This information includes data such as:</p> <ul style="list-style-type: none"> • locations, • services, • business hours, • governance, • fees, • taxes, • licenses, • annual financial reports and, • other governmental or special agency procedures. 	<p>No recommendation needed.</p>
<p>All entities surveyed have websites containing information of value to the public.</p>		
<p>Although the websites vary, some of them have more of a focus on general community information (i.e. visitor info, weather, schools, etc.) than on government CPRA information.</p>		
<p>Some sites contain extensive historical information such as economic reports, statistical information on labor forces, housing, business, etc.</p>		

<i>Facts</i>	<i>Findings</i>	<i>The Grand Jury recommends that:</i>
<p>There is a lack of consistency in the organization of information on the various websites.</p>	<p>F2. Due to the lack of consistency between websites, locating similar information on different websites is time consuming and frustrating.</p>	<p>R1. A website best practices guide be considered for development in the next 12 months. by representatives from Placer County and the Cities of Auburn, Colfax, Lincoln, Rocklin, Roseville and the town of Loomis.</p> <p>R2. All Special Districts/Agencies should assure that their websites, at a minimum, meet the best practices checklist from the Special District Leadership Foundation.</p>
<p>Although the websites vary, some of them have more of a focus on general community information (i.e. visitor info, weather, schools, etc.) than on government CPRA information.</p>		
<p>The Special District Leadership Foundation has developed a best practices checklist for what information should be included on a Special District/Agency website. The GJ was unable to locate any similar guide for cities and counties.</p>		
<p>Some sites contain extensive historical information such as economic reports, statistical information on labor forces, housing, business, etc.</p>		
<p>Some sites include outdated information.</p>	<p>F3. The inclusion of outdated information on the website, besides being of limited value, clutters the website and calls into question other postings on the website. An example is that one website includes labor force statistics and economic reports from 2006.</p>	<p>R3. All website information should be subject to annual reviews to ensure information is still pertinent.</p>

<i>Facts</i>	<i>Findings</i>	<i>The Grand Jury recommends that:</i>
None of the websites have posting dates or sunset dates on information or posted documents.	F4. The lack of document information, including posting dates and sunset dates, decreases confidence in the validity of data found on the websites.	R4. All documents have a posting and sunset (required removal) date that triggers an automatic archiving of the document.
All sites include agendas, minutes of meetings, budgets and financial reports.	F5. Some minutes are not being posted in a timely manner.	R5. All city and special districts webpages should include current written minutes, which include a summary of actions taken and decisions made.
One agency website does not have current agenda and minutes.	F6. It is generally more difficult to distinguish the minutes when they are embedded in agendas or in videos, rather than posted separately	
Some of the sites provide video records of meetings.	F7. Posting of summarized minutes (abstracts), or a summary of actions taken, would improve the public's experience in trying understand what governance actions were taken, or what decisions were made .	
Only the Placer County website contains a summary of actions approved by the Board.		
Some of the sites provide video records of meetings.	F8. Video recordings of proceedings are beneficial to the public's understanding of their representatives actions in council and board meetings	R6. Posting of complete video recordings of meetings should be investigated to determine if it is economically feasible .
Video recordings of county board and city council meetings allow the public to view the entire proceeding.		

<i>Facts</i>	<i>Findings</i>	<i>The Grand Jury recommends that:</i>
Progress and performance reports on financial results versus budgets are generally only available as agenda exhibits.	F9. The ability to locate current financial results is improved when operating reports and financial performance reports are directly posted on the website.	R7. All websites should include direct links to financial reports, including on-going progress and performance reports on financial results versus budgets .
Only four websites provide on-going operating reports regarding expenditures vs. budget.		
None of the websites include current operating policies, such as employee and elected officials travel, use of government owned vehicles, computers, cell-phones and credit cards; nor do they include policies on purchasing and contract bidding processes.	F11. The public's access to operating policies, applying to elected officials and employees, would be enhanced if these documents were available through the website.	R8. Placer County, Auburn and Colfax and all special district/agency web sites should include access to the policy, process and posting of current contracting opportunities. Results of bid awards should also be posted. R9. Current operating policies covering travel and use of entity owned assets including vehicles, cell-phones, computers, and credit cards should be available on websites or by on-line CPRA requests.
Only two of the websites included access to make public CPRA document requests.	F12. A link on the website to fill out CPRA document requests, improves the public's ability to submit requests.	R10. Placer County, Auburn and Colfax should incorporate into their websites a link to make CPRA Public Records Requests.

<i>Facts</i>	<i>Findings</i>	<i>The Grand Jury recommends that:</i>
<p>Only the Placer County website provided a link to the Grand Jury website to allow easy access to the Grand Jury complaint form “Confidential Citizen Complaint”.</p>	<p>F13. A link to the Grand Jury website where the GJ complaint form “Confidential Citizen Complaint” is available enables public access for registering a confidential complaint on line.</p>	<p>R11. Websites should include a link for the public to make a Grand Jury complaint.</p>



PLACER COUNTY WATER AGENCY
SINCE 1857

BOARD OF DIRECTORS	BUSINESS CENTER
Gray Allen, District 1	144 Ferguson Road
Primo Santini, District 2	MAIL
Mike Lee, District 3	P.O. Box 6570
Robert Dugan, District 4	Auburn, CA 95604
Joshua Alpine, District 5	PHONE
	(530) 823-4850
	(800) 464-0030
Einar Maisch, General Manager	WWW.PCWA.NET

September 4, 2015

The Honorable Colleen Nichols
Presiding Judge of the Superior Court
County of Placer
PO Box 619072
Roseville, CA 95661

Re: *Grand Jury Final Report – Placer County Water Agency – Review of Placer County Government and Special District/Agency Websites*

Dear Judge Nichols:

Attached you will find the Response to Grand Jury Report Form for the report titled Review of Placer County Government and Special District/Agency Websites. The date of this Grand Jury report is June 26, 2015.

Thank you for the opportunity to respond to the findings and recommendations of the Placer County Grand Jury. Should there be any questions regarding PCWA's response to the report, please advise and PCWA will follow up accordingly.

We are pleased to respond to the findings and recommendations of the Grand Jury:

**Placer County Water Agency
Response to the Grand Jury Report**

Report Title: *Placer County Water Agency – Review of Placer County Government and Special District/Agency Websites*

Report Date: *June 26, 2015*

Response By: Einar Maisch

Title: General Manager

FINDINGS AND RESPONSES

Findings F1 through F13

PCWA Response:

PCWA agrees with findings numbered F1 through F13.

RECOMMENDATIONS AND RESPONSES

Recommendations R2 through R11

PCWA Response:

Recommendations numbered R2 through R11 have been completed/implemented.

PCWA has completed and/or implemented Grand Jury recommendations R2 through R11. It has also created a “Transparency Information” page on its website to make information of interest to the public easily accessible. The agency’s website now conforms to the best-practices checklist from the Special District Leadership Foundation (SDLF). Additionally, PCWA has been awarded the District Transparency Certificate of Excellence from SDLF.

Recommendation R6

Posting of complete video recordings of meetings should be investigated to determine if it is economically feasible.

PCWA Response:

PCWA has investigated the feasibility of posting video recordings of its meetings of the Board of Directors on the agency website. However, PCWA has decided not to implement the posting of video recordings at this time. Posting video recordings of Board meetings on the agency's website would require an investment in special hardware and software, as well as the allocation of additional staff resources. PCWA has determined that the cost of the equipment and staff resources that would be necessary to provide video recordings currently outweighs the potential benefits to be achieved. PCWA does post minutes of meetings to its website and audio recordings are made available to the public upon request.

Thank you for the opportunity to respond to the findings and recommendations of the Placer County Grand Jury.

Sincerely,

PLACER COUNTY WATER AGENCY



Einar L. Maisch
General Manager

c: PCWA Board of Directors
PCWA General Counsel