

DRAFT-TO BE ADDED TO BOARD LETTERHEAD UPON APPROVAL

September 01, 2026

Presiding Judge of Superior Court
Honorable Laura L. Krieg
c/o Court Executive Office
Tuolumne County Superior Court
12855 Justice Center Drive
Sonora, CA 95370
Via email to Shalom Rosenfelder, CEO srosenfelder@tuolumne.courts.ca.gov

Re: Response to Grand Jury Report – **2024 – 2025 Compliance Report dated June 17, 2026**

The following is submitted in response to the 2025-26 Grand Jury Report as it pertains to the 2024 – 2025 Compliance Report. The Tuolumne County Board of Supervisors wish to extend their gratitude to the Grand Jury members for their time in preparing the final Grand Jury reports. Please accept this as the County's response to your report.

Findings

Preliminary Statement and Reservation of Authority

This response is submitted to address the report's findings and related requests for further responses. At the outset, Tuolumne County rejects any suggestion that the Civil Grand Jury may compel implementation of its recommendations, impose new implementation deadlines, require substantive policy action, or convert advisory recommendations into binding directives. Where the report demands a new date by which a recommendation "will be implemented," the demand improperly presumes that implementation is required. It is not required.

The Civil Grand Jury's statutory role is to investigate and report on local government matters; its final report contains findings and recommendations, not enforceable orders. California law requires the responding public entity to comment on findings and recommendations within the applicable statutory response period. California law further provides specific response categories for findings and recommendations, including the express option to state that a recommendation "will not be implemented because it is not warranted or is not reasonable". The Civil Grand Jury has only those powers conferred by statute, and courts have repeatedly rejected attempts to assert powers not expressly conferred by statute. The reporting function is the Grand Jury's formal means to attempt to effectuate its recommendations, but its powers remain only those the Legislature has deemed appropriate. The superior court's supervisory role exists to restrain grand jury action beyond statutorily enumerated powers, and authority not expressly permitted by the Legislature is prohibited.

Accordingly, Tuolumne County responds to the report and **STRONGLY OBJECTS** to the notion that a Civil Grand Jury may:

- 1) Require a "further response" by a date of the Grand Jury's choosing;
- 2) Order implementation;
- 3) Police implementation after the statutory response process; or,
- 4) Dictate the substance, timing, funding, or administrative method of County action.

To the extent the report purports to impose a September 1, 2026 deadline for additional substantive commitments, Tuolumne County rejects that purported mandate as unsupported by the governing statutes.

General Response Applicable to All Findings

The report states that the 2025-2026 Civil Grand Jury reviewed responses to five prior reports, determined whether responses were timely, and evaluated whether the responses used wording required by California law. The report further states that all fifty-two required responses were received within the mandated timeframe. Thus, the only alleged deficiencies concern the Grand Jury's disagreement with the form, level of detail, or subsequent implementation status of particular responses—not a failure to timely respond.

Tuolumne County disagrees with any finding that treats a Civil Grand Jury recommendation as binding County policy. Penal Code section 933.05 recognizes that a public entity may agree, disagree, implement, decline to implement, or study recommendations; it does not empower a Civil Grand Jury to force the public entity to adopt the recommendation. The statutory response process permits implementation, future implementation, further analysis within the statutory parameters, or non-implementation because the recommendation is not warranted or reasonable.

Specific Response Regarding the Front Cover of the Report

The decision to memorialize and publish a single, off-the-cuff remark by Jaron Brandon, a member of the Board of Supervisors, is a troubling development in the Report. The quoted statement is wholly unrelated to any finding of fact, legal conclusion, or recommendation and has absolutely no legitimate place in an official grand jury report. Its inclusion serves no investigative purpose, advances no public policy objective, and contributes nothing to the public's understanding of county government. Instead, it appears calculated solely to ridicule, demean, and publicly embarrass an elected official.

California law does not authorize the publication of gratuitous personal barbs or selective quotations designed to cast public officials in an unfavorable light. By departing from its statutory role and inserting material that is irrelevant, inflammatory, and devoid of evidentiary value, the Grand Jury abandoned the objectivity and restraint that give its reports credibility. Official reports carry the imprimatur of government and should never be used as vehicles for sarcasm, mockery, or personal disparagement.

The inclusion of this quotation is not merely unprofessional; it is offensive to the principles of fairness, impartiality, and common decency that should govern every official publication. It reflects neither legal analysis nor ethical judgment. Rather, it lowers the Report from a serious governmental document to a vehicle for public ridicule. When a grand jury chooses to substitute cheap rhetorical shots for thoughtful analysis, it diminishes not only the credibility of its report but also the integrity of the grand jury process itself. Such conduct has no place in an official report issued under the authority of the State of California.

Responses to Findings

Finding 1.

The Tuolumne County Board of Supervisors failed to provide an explanation of the reasons for its disagreement with finding F-2 in the report entitled "Treatment of the Grand Jury by County Officials Report" thus violating Penal Code section 933.05(a)(2).

Response to Finding 1.

Finding 1 asserts that the Board failed to explain its disagreement with Finding F-2 in the prior report concerning treatment of the Grand Jury. Tuolumne County PARTIALLY DISAGREES.

To the extent the prior response stated disagreement without further explanation, Tuolumne County provides the following clarification: Tuolumne County disputes the assertion that Tuolumne County “failed to address” the treatment of the Grand Jury or caused “fatal” delays in Grand Jury investigations because that assertion is conclusory, overbroad, and does not identify specific acts, responsible officials, dates, requested materials, or causation sufficient to support the finding. The statutory response requirement calls for agreement or disagreement and, where there is disagreement, reasons for the disagreement; it does not require the responding entity to accept vague or unsupported characterizations as fact.

Finding 2.

The Tuolumne County Board of Supervisors should further respond to the report entitled “Treatment of the Grand Jury by County Officials Report” by September 1, 2026, stating a date by which recommendation R-3 will be implemented.

Response to Finding 2.

Finding 2 states that the Board “should further respond” by September 1, 2026 with a date by which Recommendation R-3 will be implemented; the underlying recommendation concerned an Enterprise Resource Planning system within 365 days, and the prior response stated that the County had budgeted for an HRIS solution but no implementation date had been set. Tuolumne County DISAGREES.

The Civil Grand Jury may recommend, but may not command procurement, contracting, budget allocation, software implementation, or a deadline for completion. California authority strictly limits the Grand Jury to powers granted by the Legislature. The County has already advised that discussions and pre-work were occurring and that no final implementation date had been set. A demand that the Board now state a specific implementation date improperly attempts to convert a recommendation into an order, which the Grand Jury has no statutory authority to issue.

Finding 3.

The Tuolumne County Board of Supervisors failed to provide a timeframe for implementation of their response to finding F-3 in the report entitled “Treatment of the Grand Jury by County Officials Report” thus violating Penal Code section 933.05(b)(2).

Response to Finding 3.

Finding 3 asserts that the Board failed to provide a timeframe for implementation in connection with Finding F-3, although the report also states that the County has budgeted for a new HRIS system, is finalizing the contractual process, and that no further action is necessary. Tuolumne County DISAGREES.

This finding is internally self-defeating. The report acknowledges subsequent information showing that the County is moving forward and that no further action is necessary. To the extent the Grand Jury asserts a statutory violation, the assertion improperly treats a response to a finding as though it were a response to a recommendation.

Finding 4.

The Tuolumne County Board of Supervisors should further respond to the report entitled “Board of Supervisors Actions and Obligations” by September 1, 2026, stating a date by which recommendation R-1 will be implemented.

Response to Finding 4.

Finding 4 states that the Board should further respond by September 1, 2026 with a date by which Recommendation R-1 from the “Board of Supervisors Actions and Obligations” report will be implemented; that recommendation concerned a comprehensive public information program, and the report notes that a prior target date of January 1, 2026 was not met. Tuolumne County DISAGREES.

The Board’s judgment regarding public communications, staffing, budget, priorities, and timing remains with the Board, not the Civil Grand Jury. The Grand Jury’s statutory authority permits investigation and reporting, but it does not include authority to dictate how or when the Board must implement communications programming. Tuolumne County will continue to evaluate public communication improvements through its ordinary governance and budget processes. Additionally, a demand that the Board now state a specific implementation date improperly attempts to convert a recommendation into an order, which the Grand Jury has no statutory authority to issue.

Finding 5.

The Tuolumne County Board of Supervisors should further respond to the report entitled “Board of Supervisors Actions and Obligations” by September 1, 2026, stating a date by which recommendation R-2 will be implemented.

Response to Finding 5.

Finding 5 states that the Board should further respond by September 1, 2026 with a date by which Recommendation R-2 will be implemented; that recommendation concerned designating a Public Information Officer or other spokesperson, and the prior response stated that further study was needed regarding necessity and cost. Tuolumne County DISAGREES.

The prior response properly identified further analysis concerning whether a Public Information Officer is necessary and what such a position would cost. The Civil Grand Jury may not override the Board’s authority to determine whether a position is needed, affordable, or organizationally appropriate. Grand jury powers are broad but limited to those deemed appropriate by the Legislature. Additionally, a demand that the Board now state a specific implementation date improperly attempts to convert a recommendation into an order, which the Grand Jury has no statutory authority to issue.

Finding 6.

The BOS should further respond to the report entitled “Board of Supervisors Actions and Obligations” by September 1, 2026, stating a date by which recommendation R-6 will be implemented.

Response to Finding 6.

Finding 6 states that the Board should further respond by September 1, 2026 with a date by which Recommendation R-6 will be implemented; that recommendation concerned changing the Human Resources Director/Risk Manager reporting structure, and the prior response stated that the position should become Board-appointed by 2026. Tuolumne County DISAGREES.

Tuolumne County acknowledges that the prior response contemplated future action. Tuolumne County disagrees that the Civil Grand Jury may compel a new implementation date or dictate the reporting structure for County personnel. Personnel structure, appointment authority, and implementation timing involve policy, budget, labor, and administrative considerations reserved to the County’s governing processes. The statutory scheme requires a response to recommendations; it does not make the Grand Jury the implementing authority. Additionally, a demand that the Board now state a specific implementation date improperly attempts to convert a recommendation into an order, which the Grand Jury has no statutory authority to issue.

Finding 7.

The Tuolumne County Board of Supervisors should further respond to the report entitled “Unfunded Liabilities and Financial Challenges” by September 1, 2026, stating a date by which recommendation R-4 will be fully implemented.

Response to Finding 7.

Finding 7 states that the Board should further respond by September 1, 2026 with a date by which Recommendation R-4 from the “Unfunded Liabilities and Financial Challenges” report will be fully implemented. Tuolumne County DISAGREES.

The report’s objection is not that the Board failed to respond, but that the Grand Jury disagrees with the degree of implementation and wants further commitment. The statutory response process does not authorize the Grand Jury to demand “full implementation” of its preferred fiscal or personnel reporting approach. A public entity may decline to implement a recommendation when it is not warranted or reasonable. Additionally, a demand that the Board now state a specific implementation date improperly attempts to convert a recommendation into an order, which the Grand Jury has no statutory authority to issue.

Finding 8.

The Tuolumne County Board of Supervisors should further respond to the report entitled “Unfunded Liabilities and Financial Challenges” by September 1, 2026, stating a date by which recommendation R-6 will be implemented.

Response to Finding 8.

Finding 8 states that the Board should further respond by September 1, 2026 with a date by which Recommendation R-6 will be implemented; the report states that the prior response said the recommendation had been implemented, but the Grand Jury could not find reasonably accessible definitions of the ECU classification or obtain a listing of ECU member employees from the database. Tuolumne County DISAGREES.

The Grand Jury’s inability to locate information in the manner it preferred does not establish non with the statutory response requirement. The response category “has been implemented” requires a summary of the implemented action; it does not authorize the Grand Jury to prescribe the exact publication format, database configuration, or access method for County personnel classifications. Additionally, a demand that the Board now state a specific implementation date improperly attempts to convert a recommendation into an order, which the Grand Jury has no statutory authority to issue.

Finding 9.

The Tuolumne County Board of Supervisors should further respond to the report entitled “Unfunded Liabilities and Financial Challenges” by September 1, 2026, with additional information regarding their response to F-8, including a date when their response will be implemented.

Response to Finding 9

Finding 9 states that the Board should further respond by September 1, 2026 with additional information regarding its response to Finding F-8, including a date when the response will be implemented; the report concerns ACFR filings, credit rating status, and grant-related concerns. Tuolumne County DISAGREES.

Finding F-8 was a finding, not a recommendation requiring implementation. The Board partially

agreed and explained that the 2022 ACFR had been filed, the 2023 and 2024 ACFRs remained incomplete at the time of the response, and the County did not have a negative credit rating because the credit rating had been pulled and could be reinstated after completion of the outstanding ACFRs. Penal Code section 933.05(a) governs responses to findings and requires agreement or disagreement with reasons; it does not require an “implementation date” for a finding. Additionally, a demand that the Board now state a specific implementation date improperly attempts to convert a recommendation into an order, which the Grand Jury has no statutory authority to issue.

Finding 10.

The Tuolumne County Board of Supervisors should further respond to the report entitled “Unfunded Liabilities and Financial Challenges” by September 1, 2026, stating a date by which R-10 will be implemented.

Response to Finding 10.

Finding 10 states that the Board should further respond by September 1, 2026 with a date by which Recommendation R-10 will be implemented; the prior response stated that a comprehensive deferred-maintenance financing plan could not be developed until the County had an updated CIP. Tuolumne County DISAGREES.

The Grand Jury criticizes the County’s explanation as a “circular impediment,” but that criticism is a policy disagreement, not a statutory violation. The County’s response identified the practical dependency between deferred-maintenance financing and an updated capital planning document. The Grand Jury may report and recommend, but it may not compel the Board to adopt a financing plan or prioritize one planning sequence over another. Additionally, a demand that the Board now state a specific implementation date improperly attempts to convert a recommendation into an order, which the Grand Jury has no statutory authority to issue.

Finding 11.

The Tuolumne County Board of Supervisors should further respond to the report entitled “Unfunded Liabilities and Financial Challenges” by September 1, 2026, stating a date by which recommendation R-11 will be implemented.

Response to Finding 11.

Finding 11 states that the Board should further respond by September 1, 2026 with a date by which Recommendation R-11 will be implemented; the underlying recommendation called for issuing an RFP for a new CIP, while the Board responded that staff had begun developing a CIP internally as a cost-saving measure. Tuolumne County DISAGREES.

This finding disregards the substance of the Board’s response. The Board did not ignore the CIP issue; it chose a different implementation method—internal development rather than an RFP—based on cost savings. The Grand Jury may not force the County to issue an RFP when the County has selected a different administrative path. Nothing in the cited statutory response scheme converts a recommendation into a procurement directive. Additionally, a demand that the Board now state a specific implementation date improperly attempts to convert a recommendation into an order, which the Grand Jury has no statutory authority to issue.

Finding 12.

The Tuolumne County Board of Supervisors should further respond to the report entitled “Unfunded Liabilities and Financial Challenges” by September 1, 2026, stating a date by which recommendation R-13 will be implemented.

Response to Finding 12.

Finding 12 states that the Board should further respond by September 1, 2026 with a date by which Recommendation R-13 will be implemented; the report states that the recommendation is being implemented by Public Works and Facilities Management, but no delivery date was provided. Tuolumne County DISAGREES.

Tuolumne County acknowledges that additional information may be provided as a courtesy if and when a reliable project schedule exists. Tuolumne County disagrees that the Civil Grand Jury can compel an implementation date for an internal CIP process. Penal Code section 933.05 requires a timeframe only when the responding entity elects the statutory category that a recommendation has not yet been implemented but will be implemented in the future. That statutory requirement does not authorize the Grand Jury to impose its own deadline after the response has been submitted. Additionally, a demand that the Board now state a specific implementation date improperly attempts to convert a recommendation into an order, which the Grand Jury has no statutory authority to issue.

Finding 13.

The Tuolumne County Board of Supervisors should further respond to the report entitled “Unfunded Liabilities and Financial Challenges” by September 1, 2026, stating a date by which recommendation R-14 will be implemented.

Response to Finding 13.

Finding 13 states that the Board should further respond by September 1, 2026 with a date by which Recommendation R-14 will be implemented; the report states that implementation depends on finalization of the CIP. Tuolumne County DISAGREES.

The Board’s response appropriately linked this recommendation to completion of the CIP. The Civil Grand Jury’s disagreement with that dependency does not create authority to mandate a date certain. The Grand Jury’s powers remain limited to those conferred by statute.

Finding 14.

The Tuolumne County Board of Supervisors should further respond to the report entitled “Unfunded Liabilities and Financial Challenges” by September 1, 2026, stating a date by which recommendation R-15 will be fully implemented.

Response to Finding 14.

Finding 14 states that the Board should further respond by September 1, 2026 with a date by which Recommendation R-15 will be fully implemented; the underlying recommendation concerned review of County-owned and leased buildings for life/safety inadequacies, and the prior response stated the recommendation was currently being implemented. Tuolumne County PARTIALLY DISAGREES.

Tuolumne County agrees that life/safety issues are important and that appropriate review may proceed through County processes. Tuolumne County disagrees with the demand for a Grand Jury-imposed implementation date. The statutes require responses to recommendations; they do not authorize the Grand Jury to manage County facilities work plans. Additionally, a demand that the Board now state a specific implementation date improperly attempts to convert a recommendation into an order, which the Grand Jury has no statutory authority to issue.

Finding 15.

The Tuolumne County Board of Supervisors should further respond to the report entitled “Unfunded

Liabilities and Financial Challenges” by September 1, 2026, stating a date by which recommendation R-16 will be implemented.

Response to Finding 15.

Finding 15 states that the Board should further respond by September 1, 2026 with a date by which Recommendation R-16 will be implemented; the report asserts that although the Board stated the recommendation had been implemented, subsequent attempts to obtain a copy of the insurance-coverage report identified that no such report existed and that there was no plan to request such a report. Tuolumne County DISAGREES.

The Civil Grand Jury may not dictate the form of insurance verification or require creation of a particular document unless the Board elects to do so through its own processes. The statutory response framework permits explanation; it does not empower the Grand Jury to prescribe operational policy, including specific forms of documentation. Additionally, a demand that the Board now state a specific implementation date improperly attempts to convert a recommendation into an order, which the Grand Jury has no statutory authority to issue.

Finding 16.

The Tuolumne County Board of Supervisors should further respond to the report entitled “2024-2025 Differential Treatment & Hiring Practices in Tuolumne County Government” by September 1, 2026, stating a date by which recommendation R-1-4 will be implemented.

Response to Finding 16.

Finding 16 states that the Board should further respond by September 1, 2026 with a date by which Recommendation R-4 from the “Differential Treatment & Hiring Practices” report will be implemented; the underlying recommendation concerned posting all management-level positions internally and externally for at least three weeks, and the prior response stated that further analysis was required because the County must meet and confer regarding changes in practice and Personnel Rules. Tuolumne County DISAGREES.

The prior response identified the reason further analysis was required: the recommendation implicated changes in practice and Personnel Rules requiring a meet-and-confer process. The Grand Jury cannot compel the County to bypass or compress labor-relations and personnel-rule processes by imposing its own deadline. Grand jury authority is statutory and limited; extra-statutory commands are not enforceable. Additionally, a demand that the Board now state a specific implementation date improperly attempts to convert a recommendation into an order, which the Grand Jury has no statutory authority to issue.

Finding 17.

The Tuolumne County Board of Supervisors should further respond to the report entitled “2024-2025 Differential Treatment & Hiring Practices in Tuolumne County Government” by September 1, 2026, stating a date by which recommendation R-2-1 will be implemented.

Response to Finding 17.

Finding 17 states that the Board should further respond by September 1, 2026 with a date by which Recommendation R-1 will be implemented; the recommendation concerned complaint-reporting paths and the prior response tied implementation to making the Human Resources Director/Risk Manager a Board-appointed position. Tuolumne County DISAGREES.

Tuolumne County acknowledges that complaint-reporting structures remain an important governance

issue. Tuolumne County disagrees that the Grand Jury may dictate the implementation date or the precise administrative mechanism for revising those structures. The statutory response scheme allows a recommendation to be implemented, studied, or rejected; it does not authorize the Civil Grand Jury to administer County human-resources reporting systems. Additionally, a demand that the Board now state a specific implementation date improperly attempts to convert a recommendation into an order, which the Grand Jury has no statutory authority to issue.

Finding 18.

The Tuolumne County Board of Supervisors should further respond to the report entitled “2024-2025 Differential Treatment & Hiring Practices in Tuolumne County Government” by September 1, 2026, stating a date by which recommendation R-4-1 will be implemented.

Response to Finding 18.

Finding 18 states that the Board should further respond by September 1, 2026 with a date by which Recommendation R-1 will be implemented; the underlying recommendation concerned Board oversight of Senior County Administration, and the prior response stated that implementation would occur through the Tuolumne County Ordinance Code. Tuolumne County DISAGREES.

The Grand Jury’s statement that the “committed change has not been made” does not establish a statutory violation. Legislative and ordinance changes require deliberation, drafting, agenda management, and policy judgment. The Grand Jury may not dictate ordinance timing or content. Its reportorial authority is broad, but not unlimited. Additionally, a demand that the Board now state a specific implementation date improperly attempts to convert a recommendation into an order, which the Grand Jury has no statutory authority to issue.

Finding 19.

The Tuolumne County Board of Supervisors should further respond to the report entitled “2024-2025 Differential Treatment & Hiring Practices in Tuolumne County Government” by September 1, 2026, stating a date by which recommendation R-4-2 will be implemented.

Response to Finding 19.

Finding 19 states that the Board should further respond by September 1, 2026 with a date by which Recommendation R-2 will be implemented; the underlying recommendation concerned amending the Governance Manual to ensure information from one source is accurate, and the prior response stated the recommendation would be implemented through evaluations rather than the Governance Manual. Tuolumne County DISAGREES.

The Board selected a different mechanism than the one preferred by the Grand Jury. That is not non; it is governance. The Civil Grand Jury cannot require the Board to use the Governance Manual rather than evaluations, and it cannot convert a recommended mechanism into a binding directive. Penal Code section 933.05 expressly contemplates that respondents may explain how they will or will not implement recommendations. Additionally, a demand that the Board now state a specific implementation date improperly attempts to convert a recommendation into an order, which the Grand Jury has no statutory authority to issue.

Finding 20.

The Tuolumne County Board of Supervisors should further respond to the report entitled “2024-2025 Differential Treatment & Hiring Practices in Tuolumne County Government” by September 1, 2026, stating a date by which recommendation R-4-4 will be implemented.

Response to Finding 20.

Finding 20 states that the Board should further respond by September 1, 2026 with a date by which Recommendation R-4 will be implemented; the underlying recommendation concerned a system to ensure directions communicated through Senior County Administration are not misrepresented, and the prior response stated implementation would occur through evaluations. Tuolumne County DISAGREES.

The Board's response identified evaluations as the implementation mechanism. The Grand Jury's demand for a date does not alter the Grand Jury's statutory role. The Grand Jury may report; it may not supervise the Board's evaluation processes or prescribe their timing. Additionally, a demand that the Board now state a specific implementation date improperly attempts to convert a recommendation into an order, which the Grand Jury has no statutory authority to issue.

Finding 21.

The Tuolumne County Board of Supervisors failed to provide an explanation of the reasons for its disagreement with F-6-1 in the report entitled "2024-2025 Differential Treatment & Hiring Practices in Tuolumne County Government" thus violating Penal Code section 933.05(a)(2).

Response to Finding 21.

Finding 21 asserts that the Board failed to provide an explanation of the reasons for its partial disagreement with Finding F-1 in the "Differential Treatment & Hiring Practices" report; the report states that the Board partially agreed but did not delineate what it agreed and disagreed with. Tuolumne County DISAGREES.

To avoid any claimed ambiguity, Tuolumne County clarifies as follows: Tuolumne County agrees that consistent support for department heads is an appropriate management objective. Tuolumne County disagrees with any implication that Senior County Administration engaged in improper differential treatment, unfairness, or lack of transparency as a general factual conclusion, because the finding is stated at a high level of generality and does not identify sufficient specific conduct, decision-makers, timeframes, or comparable circumstances to support that conclusion. Penal Code section 933.05 requires an explanation for disagreement; it does not require agreement with broad characterizations lacking adequate factual specificity. Additionally, a demand that the Board now state a specific implementation date improperly attempts to convert a recommendation into an order, which the Grand Jury has no statutory authority to issue.

Finding 22.

The Tuolumne County Board of Supervisors should further respond to the report entitled "2024-2025 Differential Treatment & Hiring Practices in Tuolumne County Government" by September 1, 2026, stating a date by which recommendations R-6-1 and R-6-2 will be implemented.

Response to Finding 22.

Finding 22 states that the Board should further respond by September 1, 2026 with a date by which Recommendations R-1 and R-2 will be implemented; the prior response stated that the recommendations would be implemented but that the Board would decide the proper mechanism because the Governance Manual might not be appropriate. Tuolumne County DISAGREES.

The Board expressly reserved discretion to determine the proper implementation mechanism. That reservation is appropriate. The Civil Grand Jury cannot force use of the Governance Manual, dictate the mechanism, or impose a follow-up deadline outside the statutory response process. The Grand Jury's powers are limited to those conferred by the Legislature. Additionally, a demand that the Board

now state a specific implementation date improperly attempts to convert a recommendation into an order, which the Grand Jury has no statutory authority to issue.

Finding 23.

The Tuolumne County Board of Supervisors should further respond to the report entitled “2024-2025 Differential Treatment & Hiring Practices in Tuolumne County Government” by September 1, 2026, stating a date by which recommendation R-7-2, R-7-2, R-7-3, and R-7-4 will be implemented.

Response to Finding 23.

Finding 23 states that the Board should further respond by September 1, 2026 with a date by which Recommendations R-1 through R-4 concerning High Performance Organization methodology will be implemented; the prior response stated that further analysis was required. Tuolumne County DISAGREES.

High Performance Organization methodology is a management approach, not a legal obligation imposed by the Civil Grand Jury. The Board may analyze, adopt, modify, or reject such a methodology through its own administrative judgment. Penal Code section 933.05 permits a response that further analysis is required, with explanation and parameters; it does not permit the Grand Jury to decide the outcome of that analysis. Additionally, a demand that the Board now state a specific implementation date improperly attempts to convert a recommendation into an order, which the Grand Jury has no statutory authority to issue.

Finding 24.

The Tuolumne County Board of Supervisors should further respond to the report entitled “2024-2025 Differential Treatment & Hiring Practices in Tuolumne County Government” by September 1, 2026, stating a date by which R-8-1 will be implemented.

Response to Finding 24.

Finding 24 states that the Board should further respond by September 1, 2026 with a date by which Recommendation R-1 concerning updates to the Personnel Rules and Regulations manual will be implemented; the prior response stated that Human Resources and County Counsel had completed their review and that the County would begin the legally required meet-and-confer process with the goal of Board adoption within the year. Tuolumne County DISAGREES.

Tuolumne County acknowledges that updating Personnel Rules and Regulations is an appropriate administrative objective. Tuolumne County disagrees that the Grand Jury may impose a deadline for completion of the meet-and-confer process, final policy adoption, or Board action. The Grand Jury's statutory function does not include authority to compel labor-relations outcomes or set the Board's legislative calendar. Additionally, a demand that the Board now state a specific implementation date improperly attempts to convert a recommendation into an order, which the Grand Jury has no statutory authority to issue.

CONCLUSION

For the reasons set forth above, Tuolumne County categorically rejects the Civil Grand Jury's attempt to exceed the authority granted to it under California law.

The County has fully addressed each finding while expressly preserving all objections to the report's factual inaccuracies, unsupported conclusions, and recommendations that exceed the Grand Jury's statutory role. The County will continue to evaluate policy, budgetary, personnel, labor, procurement, facilities, and governance matters through the lawful processes established by the Constitution,

statutes, and the Board of Supervisors—not through directives issued by an advisory body with no authority to govern County operations.

Nothing in this response should be construed as acknowledging that the Civil Grand Jury possesses the legal authority to impose implementation deadlines, dictate substantive governmental action, compel policy decisions, or require responses beyond those expressly mandated by Penal Code sections 933 and 933.05. Any suggestion to the contrary is unsupported by law and is expressly rejected.

Respectfully,

Stephen A. Grier
Chair, County of Tuolumne Board of Supervisors

DRAFT