



Summary of Responses to the 2009 and 2010 San Mateo County Civil Grand Jury Final Reports

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Summary

The 2011 San Mateo County Civil Grand Jury reviewed responses to reports issued by the 2009 San Mateo County Civil Grand Jury and the 2010 San Mateo County Civil Grand Jury. This practice provides continuity and allows each Civil Grand Jury to track responses made by affected agencies to the Findings and Recommendations in previous Civil Grand Jury's reports.

The 2009 Grand Jury issued reports on seventeen topics which required responses from a total of 55 individual agencies. The 2010 Grand Jury issued reports on ten topics which required responses from a total of 54 individual agencies. The agencies agreed (fully or partially) with 60 percent or more of the findings and indicated that a majority of the recommendations had been implemented or would be implemented in the near future.

The 2011 Grand Jury recommends further investigation be done on one 2009 report: "A Water District Without Water," due to a lack of progress on implementing some recommendations that were agreed to (fully or partially).

Background

California Penal Code Section 933(a) requires the Grand Jury to "...submit to the Presiding Judge of the Superior Court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year...." Section 933(c) requires comments from the governing body, elected county officers or agency heads to the presiding judge of the superior court on the Findings and Recommendations within the required period of time.

All Civil Grand Jury reports and the responses can be obtained from the Superior Court website: http://www.sanmateocourt.org/court_divisions/grand_jury/.

The responses and comments submitted were evaluated by the 2011 Grand Jury against California Penal Code Section 933.05, which requires the agency head, county officer, or governing body to:

- A. Agree or disagree, wholly or in part, with each Finding,
- B. Provide one of four possible responses to each Recommendation:
 1. Have implemented the Recommendation
 2. Will implement the Recommendation
 3. Will study the Recommendation
 4. Will not implement the Recommendation

In the case of Recommendations that are listed as “will study,” Section 933.05(b)(3) requires the responding agency to include a plan and a schedule for the study, with a time frame that does not exceed six months.

Discussion

The 2009 Grand Jury reports contained a total of 129 Findings and 209 Recommendations.

- Of the 129 Findings made by the Grand Jury, the responding agencies agreed with 62 percent (fully or partially).
- Of the 209 Recommendations made (excluding those not applicable):
 - 32 percent had already been implemented (fully or partially) at the time the responses were prepared;
 - 27 percent would be implemented in the near future;
 - 18 percent would be studied;
 - 22 percent were rejected; and
 - 1 percent received no response.

All of the agencies responded to the Presiding Judge within the required period of time.

Of the seventeen reports, two reports were deemed to need follow-up: “San Mateo Medical Center’s (SMMC) Medication Administration Check System” and “A Water District Without Water.”

“San Mateo Medical Center’s Medication Administration Check System”

Synopsis: In 2007, the Medical Center purchased and implemented a Siemens Medication Administration Check System (MAK). Hospital administrators stated that MAK was purchased to reduce medication administration errors. The Medical Center did not plan to phase out its parallel reporting system because the “...*MAK system, operating at its best, can only catch and report the class of errors entailed in its specific part of the order/distribution/administration pathway. Medication errors can happen anywhere in the distribution/administration pathway, e.g. physician prescribing errors, pharmacist transcribing errors, packaging errors, failure to note a preexisting allergy, etc.*”

Status of Recommendations with Future Implementations¹

2009 Recommendations	2009 Responses	2011 Follow-up
1. Improve data used to measure the Medication Administration Check (MAK) system performance by creating benchmarks and a baseline to assess the safety and efficiencies when dispensing medication to patients at the Medical Center.	Agreed and partially implemented.	- MAK contains only raw data that is not easily analyzed. - SMMC has recently developed usable reports with the MAK data. By end of January 2011, will have results to be used to establish benchmarks. - SMMC uses various tools to monitor and measure medication administration errors and potential errors.
2. Utilize MAK data to make decisions and suggestions for improvement of the current MAK module, and development of future software modules.	Agreed and will be implemented in the future. Medical Center will begin compiling data to work with its MAK vendor for further development.	MAK data will be used to enhance the system once more progress is made with the recently developed usable reports mentioned in #1.
3. Submit regular reports that evaluate the overall effectiveness and efficiency of the MAK system and recommend areas for system improvement to the Medical Center Board of Directors.	Agreed and is planned for implementation once the reports and data (from #1 and #2) are developed.	The main focus of the current work is to create regular reports that evaluate the effectiveness and efficiency of the MAK system – as described in #1.
4. Contact other hospitals who use MAK and share ideas contributing to successful data gathering and reporting processes.	Agreed and will seek out other MAK users to share best practices.	SMMC participates in the vendor’s hosted list serve to share questions, comments and solutions. They also conduct occasional phone conversations with other MAK users.
5. Evaluate the purchase of a Computerized Provider Order Entry (CPOE) module which allows physicians to coordinate with the MAK software module.	Agreed and will be implemented in the future when funds are available.	CPOE will be part of the Inpatient Electronic Health Record project, for which an RFP has been issued. Awaiting response.

Conclusion: SMMC is addressing the issues brought forth in the 2009 Grand Jury report and following through on the actions indicated in their original response letter. No further investigation is recommended at this time.

“A Water District Without Water”

Synopsis: The Los Trancos County Water District (LTCWD) was formed in 1954 as a water district in accordance with the California Water Code, Section 30000. LTCWD initially provided water to the residents of Los Trancos Woods, an unincorporated section of San Mateo County near the incorporated Town of Portola Valley. LTCWD is a small

¹ The first column is copied from the original 2009 Grand Jury Report, “San Mateo Medical Center’s (SMMC) Medication Administration Check System.” The information in the second column is from the County’s response to the report. The information in the third column is from an update received from the San Mateo Medical Center on January 25, 2011.

water district servicing the needs of approximately 260 residents. In 2005, LTCWD sold its water system to CalWater which assumed responsibility for providing water to the residents. As a water district, LTCWD receives a portion of the property taxes paid by its residents in accordance with state law, even though LTCWD is no longer providing water service.

Status of Recommendations with Future Implementations²

2009 Recommendations	2009 Responses	2011 Follow-up
1. The San Mateo County Local Agency Formation Commission (LAFCo) work directly with the LTCWD in identifying an agency that will take over the ownership and management of the two unimproved parcels and the reservoir.	Agreed, and LTCWD will continue to work with interested agencies toward overcoming previously identified obstacles to property ownership and/or management transfers.	LTCWD worked with the recommended agencies to identify another agency to take ownership and manage the District’s property. No other agencies were interested in taking over the ownership or management of the properties. No changes have been made to the ownership of the property.
2 b. Apply for the rezoning of the property to assure that the wishes of the residents are achieved.	Agreed, but County zoning options are limited in their effectiveness for preventing development, thus LTCWD is also pursuing additional avenues (e.g. conservation easements) to more fully protect LTCWD property.	LTCWD researched the benefits of rezoning their property and found that their current zoning of the property is the most restrictive and best protects the property from unwanted development. No changes have been made to the zoning of the property.
2 c. Identify those activities it is currently engaged in that are deemed essential to Los Trancos Woods residents and pursue agreements with other agencies to continue those activities. Agreements may need to include the transfer of some LTCWD property tax revenue to fund these activities on behalf of Los Trancos Woods residents into the future.	Partially Agree, and LTCWD plans to conduct a second survey of District residents to determine essential activities and unmet services, and to engage appropriate agencies in discussions to provide those services, including property tax revenue transfers. Where not possible the District will continue to provide services within the District purview.	The survey did not result in any specific direction for LTCWD. Rather, it addressed misconceptions about the District’s role, educated the public on the responsibilities of a public agency and how it differs from an association, and stimulated a series of discussions that resulted in the following proposed roles for the District. The District is in the process of exploring the viability of these roles with neighboring and partner service providers. <ol style="list-style-type: none"> 1. Controlling the rainfall runoff safely down and out of Los Trancos District 2. Fire safety and emergency preparedness 3. Coordinating personal land management (fire safety, stabilization, reservoir land management) 4. Water conservation

² The first column is copied from the original 2009 Grand Jury Report, “A Water District Without Water.” The information in the second column is from LTCWD’s response to the report. The information in the third column is from an update received from LTCWD on February 15, 2011.

Conclusion: Due to the continued operation of The Los Trancos County Water District, 40 percent of LTCWD's share of property tax revenue continues to be rebated to Los Trancos and Vista Verde residents in the form of reductions in water charges. It is recommended that a future Grand Jury investigate this use of the District's tax revenue.

The 2010 Grand Jury reports contained a total of 112 Findings and 342 Recommendations.

- Of the 112 Findings made by the Grand Jury, the responding agencies agreed with 60 percent (fully or partially).
- Of the 342 Recommendations made (excluding those not applicable):
 - 57 percent had already been implemented (fully or partially) at the time the responses were prepared;
 - 20 percent would be implemented in the near future;
 - 10 percent would be studied;
 - 10 percent were rejected; and
 - 3 percent received no response.

Most of the agencies sent response letters to the 2010 Grand Jury reports within the required period of time.

One report was deemed to need follow-up: "Sex Offender Law Enforcement in San Mateo County."

"Sex Offender Law Enforcement in San Mateo County"

Synopsis:

The City of East Palo Alto was the only city cited in the Grand Jury Report that did not respond within the required period of time. The reason given was that due to an administrative support staff change, the report was lost. A copy of the report was re-sent on 9/22/10 and the City's response was received and posted on 2/15/11.

Conclusion: No further action is recommended at this time.

Conclusion

The 2011 Grand Jury recommends a follow-up investigation by the 2012 San Mateo County Civil Grand Jury regarding the receipt of tax revenues and distribution of rebates by the Los Trancos County Water District. We do not consider additional actions necessary for any of the other Grand Jury reports highlighted in this report or listed in Appendix A.

Appendix A

Summary of Agency Responses to 2009 and 2010 San Mateo County (SMC) Civil Grand Jury Reports

Y = Yes P = Partial NR = No Response to specific Finding or Recommendation

N/A = Not Applicable

P = Partial

LEGEND: Y = Yes P = Partial NR = No Response to specific Finding or Recommendation

REPORT TITLE	RESPONDING AGENCIES				FINDINGS				RECOMMENDATIONS			
	#	Agree	Disagree	#	Implemented	Will Implement	Will Study	Will Not Implement				
2009 SMC Civil Grand Jury Reports												
Who's Watching MCTV?	SMC Board of Supervisors	11	11-Y				5	1				
	City of Half Moon Bay	11	6-Y 2-P	3-NR			6					
Determining Elected Officials' Compensation: Daly City's City Clerk	City of Daly City	7	5-Y	1-P	1		3	3				
SMC's Pharmaceutical Disposal System	SMC Board of Supervisors	9	9-Y		1		1	3				
Red Light Camera Increases Safety	Redwood City	6	3-Y 3-P		2		2	1				
SMC's Agricultural Mismanagement: Williamson Act Non-Compliance	Assessor County Clerk	11	4-Y 4-P	3	1			1, 8-N/A				
	Controller		NR	NR	2		2					
	County Manager		NR	NR	6		3	3				
	Tax Collector - Treasurer		NR	NR								
	SMC Board of Supervisors				N/A							
Appointment vs Election: How Should the Vacated Board of Supervisor Seats Be Filled?	SMC Board of Supervisors	6	3	3-NR	1			2				
Camp Glenwood Should Remain An Honor Camp	Sheriff	3	2-Y, 1-P		4		2	2				
		3	2	1-NR	2							
SMC Public School Fire Alarm Systems		10			4			1				
	Bayshore	10	10-Y									
	Belmont-Redwood Shores	10	10-Y		1							
	Cabrillo Unified School Dist	10	10-Y		2		1					
	Los Lomitas School Dist	10	10-Y		1							
	Millbrae School Dist	10	10-Y		1		1					
	Menlo Park School Dist.	10	10-Y									
	S. San Francisco Unified	10	10-Y		N/A							
	Redwood City School Dist	10	10-Y		N/A							
	Ravenswood City Sch Dist	10	10-Y		N/A							
	Jefferson School Dist	10	10-Y		N/A							
	Burlingame School Dist	10	10-Y		N/A							
	Jefferson Union High	10	10-Y		N/A							
TrashTalk: Rethinking the Waste Management RFP Process by South Bayside Waste Management Authority	South Bayside Waste Management Authority	13	1-Y, 5-P	7-Y	4		1	2				
	SMC	13	6-Y, 3-P	5-Y	4		1	2				
	Belmont	13	1-Y, 5-P	7-Y	4		1	2				
	Burlingame	13	11-Y	2-P	7		5	1				
	East Palo Alto	13	NR	NR	7			6				

Appendix A

Summary of Agency Responses to 2009 and 2010 San Mateo County (SMC) Civil Grand Jury Reports

LEGEND: Y = Yes P = Partial N/A = Not Applicable NR = No Response to specific Finding or Recommendation

REPORT TITLE	RESPONDING AGENCIES	FINDINGS				RECOMMENDATIONS				
		#	Agree	Disagree	#	Implemented	Will Implement	Will Study	Will Not Implement	
2008-09 FOLLOW UP REPORT - SMC Public Schools Fire Alarm Systems Report	San Carlos Elementary	1	1 - Y		1				1	
	Bayshore	13	13-Y		1	1				
	Cost of Special Education in SM County School Districts	Belmont Redwood Shores	13	13-Y		2	1		1	
		Brisbane	13	13-Y		1	1			
		Burlingame	13	12-Y, 1-P		2	1		1	
		Cabrillo	13	11-Y		2	1		1	
		Hillsborough	13	13-Y		2	1		1	
		Jefferson Elementary	13	NR	NR	2	2			
		Jefferson Union High	13	13-Y		2	1		1	
		La Honda Pescadero	13	13-Y		2	2			
		Las Lomas	13	13-Y		2	1		1	
		Menlo Park	13	13-Y		2	1		1	
	City Fire Department Consolidations/Mergers	Millbrae	13	12-Y, 1-P		2	1		1	
		Pacifica	13	13-Y		2	1		1	
		Portola Valley	13	NR	NR	2	1		1	
		Ravenswood	13	13-Y		2	1			
		Redwood City	13	NR	NR	2				1
		San Bruno Park	13	13-Y		2	2			
		San Carlos	13	Y-1		2	1		1	
		San Mateo Union High	13	NR	NR	2	2			
		San Mateo Foster City	13	NR	NR	3	1		1	
		Sequoia Union High	13	NR	NR	2				1
South San Francisco	13	13-Y		2	1		1			
Woodside	13	NR	NR	2	2					
San Mateo County Office of Education										
		13	NR	NR	2	2				
North County Fire Authority		22	14-Y, 5-NR	2-P, 1-Y	2	1		1		
Woodside Fire Protection		22	22-P		2				2	
Colma Fire Protection		22	22-P		2				2	
Foster City		22	21-Y	1-Y	2	1		1		
Millbrae		22	NR	NR	2	1		1		
Redwood City		22	20-Y	2-P	2			1		
San Bruno		22	22-Y		2			2		
San Mateo		22	19-Y, 1-NR	1-Y, 1-P	2	1		1		

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REPORT TITLE	FINDINGS				RECOMMENDATIONS					
	RESPONDING AGENCIES	#	Agree	Disagree	#	Implemented	Will Implement	Will Study	Will Not Implement	
School Bond Citizens' Oversight Committees, Prop 39	Millbrae Elementary	6	2 - Y 3 - P	1 - Y	13	11	2			
	Los Lomitas Elementary	6	6 - Y		13	7	6			
	La Honda-Pescadero Unified	6	4 - Y	2 - P	13	2	8		3	
	Hillsborough City Elementary	6	6 - Y		13	9	3	6		
	Burlingame Elementary	6	2 - Y 3 - Y	2 - P 1 - Y	13	8	1		3	
	Belmont-Redwood Shores	6	1 - P	1 - P	13	9	3		1	
	Menlo Park	6	NR		13	9	4			
	Jefferson Union High	6	2 - Y	3 - Y 1 - NR	13	6	4		4	
	San Mateo Union High	6	NR		13	13				
	SMC Community College	6	NR		13	8	2		3	
	SMC Office of Education	6	NR		2		2			
	Other school districts in the Association	6	NR		2		2			
	Effectiveness of Red Light Traffic Camera Enforcement	Atherton	18	7 - Y 2 - P	2 - Y 7 - P	6	3	3		
		Belmont	18	NR		6	1	1		4
		Brisbane	18	NR		6	4	2		
		Burlingame	18	3 - Y 1 - P	2 - P 9 - NR	N/A				
		Colma	18	NR		N/A				
		Daly City	18	7 - Y	6 - Y 5 - P	6	3	1	1	1
East Palo Alto		18	NR		N/A					
Foster City		18	NR		N/A					
Half Moon Bay		18	NR		N/A					
Hillsborough		18	NR		N/A					
Menlo Park		18	7 - Y 1 - P	10 - Y 1 - P	6	3	2		1	
Millbrae		18	2 - P	1 - Y	6	6				
Pacifica	18	NR	8 - P	N/A						
Portola Valley	18	NR		N/A						

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REPORT TITLE	RESPONDING AGENCIES	FINDINGS			#	RECOMMENDATIONS			
		#	Agree	Disagree		Implemented	Will Implement	Will Study	Will Not Implement
	Redwood City	18	7 - Y 5 - P 5 - NR	1 - Y 5 - P 5 - NR	6	2	2	1	1
	San Bruno	18	7 - Y 2 - NR	2 - Y 7 - P 2 - NR	N/A				
	San Carlos	18	NR	6 - Y	6	4	1		1
	San Mateo	18	5 - Y 2 - P 3 - NR	2 - P 3 - NR	6		2		4
	South San Francisco	18	10 - Y 1 - P 2 - P	1 - Y 2 - P	6	4	1	1	
	Woodside	18	NR	NR	N/A				
Modifying Qualifications for county Treasurer/Tax Collector Office	SMC Board of Supervisors	6	5 - Y 1 - P		1		1		