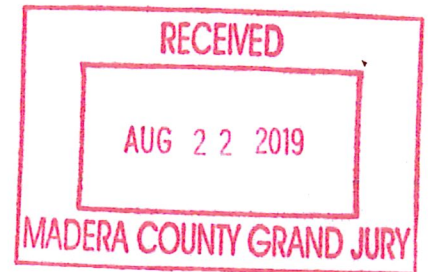


COUNTY OF MADERA
PUBLIC WORKS DEPARTMENT
AHMAD M. ALKHAYYAT
DIRECTOR

200 West 4th Street
Madera, CA 93637
Main Line - (559) 675-7811
Special Districts - (559) 675-7820
Fairmead Landfill - (559) 665-1310

August 9, 2019

Judge Michael Jurkovich
Supervising Judge of the Grand Jury
Madera Superior Court
200 South G Street
Madera, CA 93637



Madera County Grand Jury
PO Box 534
Madera, CA 93639

Re: Response to the Findings of the Cascadel Woods: CSA-21 2018-2019 Madera County Grand Jury Final Report 1819-02 Published on June 28, 2019

The Public Works Department (PWD) has compiled its responses to the findings and recommendations of the Cascadel Woods: CSA-21 2018-2019 Madera County Grand Jury Final Report 1819-02 Published on June 28, 2019 and they are listed in this letter.

The PWD appreciates all the effort the Grand Jury Team has put into this report and if you have any questions about our responses please contact me.

Respectfully,

Ahmad M. Alkhayyat, PE, MBA
Public Works Director

RESPONSES TO FINDINGS IN REPORT:

F1. The MCGJ finds that the property within CSA-21, that contains the Cascade! Clubhouse, on four lots within three parcels of land, is owned by the County of Madera.

Response: The respondent agrees with the finding.

F2. The MCGJ finds that the County of Madera is currently responsible for upkeep, maintenance, insurance (both property and liability), for those properties noted in F1.

Response: The respondent agrees with the finding.

F3. The MCGJ finds the County of Madera does not have an agreement with CSA 21 for road maintenance nor improvement.

Response: The respondent agrees with the finding.

F4. The MCGJ finds that currently there is not a multi-year contract in effect between the County and a contractor for mowing and maintenance of the properties.

Response: The respondent disagrees with this finding. On April 4, 2019, the County entered into a purchasing agent agreement with Dale Johnson Services¹ to mow portions of the County-owned land on an as-needed basis to ensure the grounds are mowed on an annual basis. The Agreement continues through June 30, 2023.

F5. The MCGJ finds that the area around and adjacent to the Clubhouse, including the land parcels, are a designated "Shelter in Place" zone for the residents in the event of fire blocking egress from Cascade! Woods.

Response: The respondent neither agrees nor disagrees with the finding.

F6. The MCGJ finds that the amount collected from property owners is insufficient to cover the cost of maintenance and expenses currently paid by the County.

Response: The respondent agrees with the finding.

¹ See Exhibit H: Contract between the County of Madera and Dale Johnson Services dated April 4, 2018.

RESPONSES TO RECOMMENDATIONS IN REPORT:

R1. It is recommended that, within the next year, the property owners within Cascade! Woods (CSA 21), begin to form a legal association, to start the process of returning all properties to their ownership, control, and responsibility, as well as the use of the property at the owners own expense.

Response: The recommendation has not yet been implemented, but will be implemented in the future. The Department has sent an updated "Land Administration Letter" dated 7/10/2019 to all CSA-21 Residents that included a self-addressed pre-paid return envelope for them to mark one of three future options and mail back to the Department. The Department will use this information for future recommendations to the Board. The three future options are:

- 1. Dissolve CSA-21 and transfer assets to Property Owners Association. CWPOA would provide maintenance and operation.*
- 2. Dissolve CSA-21 and County sells assets to other entity. The County would solicit bids from interested parties.*
- 3. Dissolve CSA-21 and create an independent special district. Example would be a "Community Services District" or a "Recreation and Parks District". The new entity would be created by LAFCO, operate independent of the County and be governed by a Board of Directors elected by the residents/registered voters.*

R2. It is recommended that the County continue to maintain and insure the subject properties until the transfer of ownership is complete.

Response: The recommendation has been implemented. This recommendation is already in practice.

R3. It is recommended that Cascade! Woods continue to maintain control of road maintenance.

Response: The recommendation has been implemented. This recommendation is already in practice.

R4. It is recommended that, when all CSA 21 properties are relinquished from the County of Madera, it would be the responsibility of the new legal association contract, as they find necessary, for all upkeep, mowing, maintenance, and insurance.

Response: The recommendation has not yet been implemented, but will be implemented in the future depending on the Board's recommendation.

R5. It is recommended that the area around and adjacent to the Cascade Clubhouse, must remain accessible and maintained as a "Shelter in Place" zone.

Response: The recommendation has been implemented. This recommendation is already in practice.

R6. It is recommended that Madera County find a solution to fund the financial shortage within the next fiscal year.

Response: The recommendation has been implemented. Since the clubhouse building will remain closed due to safety concerns, the County will not be hiring a property management company to manage the facility which will eliminate the financial shortage for the fiscal year.



MEMBERS OF THE BOARD

BRETT FRAZIER, District No. 1
DAVID ROGERS, District No. 2
ROBERT L. POYTHRESS, District No. 3
MAX RODRIGUEZ, District No. 4
TOM WHEELER, District No. 5

RHONDA CARGILL, Chief Clerk of the Board



September 25, 2019

Michael Jurkovich
Supervising Judge of the Grand Jury
Madera County Superior Court
200 S. G Street
Madera, CA 93637

Subject: Response to the 2018-19 Grand Jury Report entitled "Cascadel Woods: CSA-21"

Honorable Judge Jurkovich:

In accordance with California Penal Code § 933.5(a) and (b), this letter addresses all Findings and Recommendations contained in the above-referenced Grand Jury report. The following are the Grand Jury's findings and recommendations, followed by the responses of The Madera County Board of Supervisors.

Finding 1:

The MCGJ finds that the property within CSA – 21, that contains the Cascadel Clubhouse, on four lots within three parcels of land is owned by the County of Madera.

Response

Respondent agrees with the finding per California Penal Code 933.05 (a) (1).

Finding 2:

The MCGJ finds that the County of Madera is currently responsible for upkeep, maintenance, insurance (both property and liability) for those properties noted in F1.

Response

Respondent agrees with the finding per California Penal Code 933.05 (a) (1).

Finding 3:

The MCGJ finds the County of Madera does not have an agreement with CSA – 21 for road maintenance nor improvement.

Response

Respondent agrees with the finding per California Penal Code 933.05 (a) (1).



Finding 4:

The MCGJ finds that currently there is not a multi-year contract in effect between the County and a contractor for mowing and maintenance of the properties.

Response

Respondent disagrees with the finding per Penal Code § 933.05 (a)(2). Under separate cover, the Director of Public Works has responded to this finding and stated:

“On April 4, 2019, the County entered into a purchasing agent agreement with Dale Johnson Services to mow portions of the County-owned land on an as-needed basis to ensure the grounds are mowed on an annual basis. The Agreement continues through June 30, 2023.”

The response of the Director of Public Works to the above Finding is considered appropriate and is submitted as the Board of Supervisors’ response.

Finding 5:

The MCGJ finds that the area around and adjacent to the Clubhouse, including the land parcels, are a designated “Shelter in Place” zone for the residents in the event of fire blocking egress from Cascadel Woods.

Response

Respondent agrees with the finding per California Penal Code 933.05 (a) (1). The designation does not involve the County Department of Public Works. If the MCGJ was provided with this information, respondent has no information to the contrary.

Finding 6:

The MCGJ finds that the amount collected from property owners is insufficient to cover the cost of maintenance and expenses currently paid by the County.

Response

Respondent agrees with the finding per California Penal Code 933.05 (a) (1).

Recommendation 1:

It is recommended that, within the next year, the property owners within Cascadel Woods (CSA 21) begin to form a legal association to start the process of returning all properties to their ownership, control and responsibility, as well as the use of the property at the owners own expense.

Response

The recommendation has not yet been implemented, but will be implemented in the future. Under separate cover, the Director of Public Works has responded to this finding and stated:

“The Department has sent an updated “Land Administration Letter” dated 7/10/2019 to all CSA-21 Residents that included a self-addressed pre-paid return envelope for them to mark one of three future options and mail back to the Department. The Department will use this

information for future recommendations to the Board. The three future options are:

- 1. Dissolve CSA-21 and transfer assets to Property Owners Association. CWPOA would provide maintenance and operation.*
- 2. Dissolve CSA-21 and County sells assets to other entity. The County would solicit bids from interested parties.*
- 3. Dissolve CSA-21 and create an independent special district. Example would be a "Community Services District" or a "Recreation and Parks District". The new entity would be created by LAFCO, operate independent of the County and be governed by a Board of Directors elected by the residents/registered voters."*

The response of the Director of Public Works to the above Recommendation is considered appropriate and is submitted as the Board of Supervisors' response.

Recommendation 2:

It is recommended that the County continue to maintain and insure the subject properties until the transfer of ownership is complete.

Response

The recommendation has been implemented. The County will continue to insure and maintain the properties until such time as ownership is transferred.

Recommendation 3:

It is recommended that Cascadel Woods continue to maintain control of road maintenance.

Response

The recommendation has been implemented. Responsibility for road maintenance will continue to be that of Cascadel Woods.

Recommendation 4:

It is recommended that, when all CSA 21 properties are relinquished from the County of Madera, it would be the responsibility of the new legal association contract, as they find necessary, for all upkeep, mowing, maintenance, and insurance.

Response

The recommendation has not yet been implemented, but will be implemented in the future. As discussed in Recommendation 2 and the accompanying response, upon transfer of ownership, these responsibilities will shift to the new property owner.

Recommendation 5:

It is recommended that the area around and adjacent to the Cascadel clubhouse, must remain accessible and maintained as a "Shelter in Place" zone.

Response

The recommendation will not be implemented. As discussed in Finding 5, the designation is made by the residents of CSA 21 and is not controlled by the Madera County Department of Public Works. Presumably, the designation will remain but this is not a decision that is under the control of the County.

Recommendation 6:

It is recommended that Madera County find a solution to fund the financial shortage within the next fiscal year.

Response

The recommendation has been implemented, Under separate cover, the Director of Public Works has responded to this finding and stated:

"The recommendation has been implemented. Since the clubhouse building will remain closed due to safety concerns, the County will not be hiring a property management company to manage the facility which will eliminate the financial shortage for the fiscal year."

The response of the Director of Public Works to the above Recommendation is considered appropriate and is submitted as the Board of Supervisors' response.

I wish to acknowledge the Grand Jury's review and time involved in this matter, and I appreciate the opportunity to respond to the findings and recommendations.

Sincerely,

A handwritten signature in blue ink that reads "Brett Frazier". The signature is stylized with a large, looped "B" and a long horizontal stroke at the end.

Brett Frazier
Chairman, Madera County Board of Supervisors