

February 19, 2021

Honorable Judge Michael Jurkovich
Madera County Supervising Judge
300 South G Street
Madera CA 93637

SUBJECT: Response to the Findings of the Madera County and City of Madera: Public Servants or Self Serving 2019/20 Grand Jury Final Report 1920-04 Published on December 21, 2020

Dear Honorable Judge Michael Jurkovich:

I would like to acknowledge and express appreciation for extensive efforts undertaken by the Grand Jury. In accordance with California Penal Code §933 and §933.05, this letter addresses all the Grand Jury Findings and Recommendations that address subjects under my purview as the Chief of Development Services. I hope my responses are helpful to future pursuits of the Grand Jury and to the community at large.

**Part II
Coarsegold Rezoning**

FINDINGS IN REPORT:

F3. The MCGJ Finds that the Board of Supervisors acted negligently by showing favoritism to the property owner requesting the rezoning and ignoring the recommendations of the regulatory agencies and aggrieved tax paying property owners.

Response: *Disagree. In review of the MCGJ report this is clearly a mistake and has no merit as a finding. The finding by the MCGJ that the Board of Supervisors showed favoritism to the property owner is contrary to the fact that the applicant spent tens of thousands of dollars on applications and in every case was DENIED by the Board of Supervisors.*

RECOMMENDATIONS IN REPORT:

R3. The MCGJ recommends that immediately the Board of Supervisors make a final decision on the rezoning request and **close the request.**





Response: *The recommendation will not be implemented because it is not reasonable. This would be a violation of the individual's due process rights. Land Use Planning Law mandates and provides for an individual to apply for a change in land use on their personal property. The Board has made a final decision of denial on the latest land use entitlement application. The property owner may elect to pay for another change in land use through an entitlement application and proceed through the process laid out in law if they so choose. There is no cost to the taxpayers of Madera County, our application costs recover the full costs in the processing of individual land use entitlements.*

**Part III
Madera Municipal Airport**

FINDINGS IN REPORT:

F1. The MCGJ finds that the City of Madera and the County of Madera did not provide requested documentation.

Response: *Partially Disagree. I was never approached by the MCGJ requesting any documentation related to the Madera Municipal Airport.*

RECOMMENDATIONS IN REPORT:

R1. The MCGJ recommends that immediately the City of Madera and the County of Madera adhere to request for public documents when requested by the Madera County Grand Jury.

Response: *Agree.*

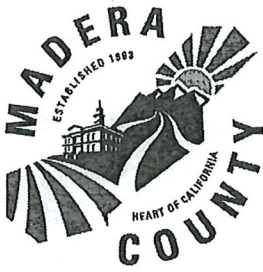
R2. The MCGJ recommends that immediately the City of Madera and the County of Madera adhere to the provisions of the Brown Act to provide clear, fair and unambiguous Public Notice.

Response: *Agree.*

R3. The MCGJ recommends that immediately the City of Madera and the County of Madera refrain from carelessly spending taxpayer money.

Response: *Agree.*





R4. The MCGJ recommends that immediately the City of Madera and the County of Madera maintain records and avail the city and county of renewable funding opportunities.

Response: Agree.

R5. The MCGJ recommends that immediately the City of Madera and the County of Madera entertain the financial investment interests of private entities.

Response: The recommendation will not be implemented because it is not reasonable. It appears that MCGJ may be contradicting Part II of this report with this recommendation to provide prejudice or favoritism to those individuals who have a financial investment interest rather than what is best for all Madera County Taxpayers. Ethically this would not be appropriate and may even rise to the level of illegal actions.

Sincerely

Matthew Treber
Chief of Development Services

