



Santa Cruz County  
Civil Grand Jury

Grand Jury <grandjury@scgrandjury.org>

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## City of Scotts Valley 2019-2020 Grand Jury Responses

1 message

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**Tina Friend** <tfriend@scottsvalley.org>

Thu, Sep 17, 2020 at 8:49 AM

To: "grandjury@scgrandjury.org" <grandjury@scgrandjury.org>

Cc: Tracy Ferrara <tferrara@scottsvalley.org>

Members of the Santa Cruz Grand Jury:

Attached please find the approved responses from the Scotts Valley City Council to the following reports:

1. The Tangled Web: Oh, What a Managed Web We Weave . . .
2. Managers of Risk or Victims of Risk: Rocked by the Shocks
3. Homelessness: Big Problem, Little Progress: It's Time to Think Outside The Box
4. Ready? Aim? Fire! Santa Cruz County on the Hot Seat

All reports were approved at the September 16, 2020 Scotts Valley City Council meeting. Note that the "Tangled Web" report previously submitted by September 14, 2020 and is included here for convenience.

Thank you,

Tina Friend

Tina Friend

City Manager

City of Scotts Valley

[tfriend@scottsvalley.org](mailto:tfriend@scottsvalley.org)

(831) 440-5606



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**4 attachments**

 **1- TangledWeb\_ScottsValleyCityCouncil\_Packet.pdf**  
418K

 **2 - ManagingCityRisks\_ScottsValleyCC\_Packet.pdf**  
484K

 **3 - Homelessness\_ScottsValleyCC\_Packet.pdf**  
462K

 **4 - FireRisks\_ScottsValleyCC\_Packet.pdf**  
428K



**The 2019–2020 Santa Cruz County Civil Grand Jury  
Requires that the  
City Council of Scotts Valley  
Respond to the Findings and Recommendations  
Specified in the Report Titled  
Managers of Risk or Victims of Risk –  
Rocked by the Shocks  
by September 17, 2020**

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When the response is complete, please

1. Email the completed Response Packet as a file attachment to [grandjury@scgrandjury.org](mailto:grandjury@scgrandjury.org), and
2. Print and send a hard copy of the completed Response Packet to

The Honorable Judge John Gallagher  
Santa Cruz Courthouse  
701 Ocean St.  
Santa Cruz, CA 95060

## **Instructions for Respondents**

California law PC §933.05 (included [below](#)) requires the respondent to a Grand Jury report to comment on each finding and recommendation within a report. Explanations for disagreements and timeframes for further implementation or analysis must be provided. Please follow the format below when preparing the responses.

### ***Response Format***

1. For the Findings included in this Response Packet, select one of the following responses and provide the required additional information:
  - a. **AGREE** with the Finding, or
  - b. **PARTIALLY DISAGREE** with the Finding and specify the portion of the Finding that is disputed and include an explanation of the reasons therefor, or
  - c. **DISAGREE** with the Finding and provide an explanation of the reasons therefor.
2. For the Recommendations included in this Response Packet, select one of the following actions and provide the required additional information:
  - a. **HAS BEEN IMPLEMENTED**, with a summary regarding the implemented action, or
  - b. **HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE**, with a timeframe or expected date for implementation, or
  - c. **REQUIRES FURTHER ANALYSIS**, with an explanation and the scope and parameters of an analysis or study, and a timeframe for that analysis or study; this timeframe shall not exceed six months from the date of publication of the grand jury report, or
  - d. **WILL NOT BE IMPLEMENTED** because it is not warranted or is not reasonable, with an explanation therefor.

### ***Validation***

Date of governing body's response approval: September 16, 2020

If you have questions about this response form, please contact the Grand Jury by calling 831-454-2099 or by sending an email to [grandjury@scgrandjury.org](mailto:grandjury@scgrandjury.org).

## **Findings**

**F1. RISK ASSESSMENT:** As the Auditor’s Office is an authoritative source of studies and assessments for the State Legislature, we find that the risk assessment methodology used by the Auditor’s Office is a valid and valuable approach to assessing financial risk for all SCC city jurisdictions and communicating that risk to stakeholders.

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

**Response explanation** (required for a response other than **Agree**):

The City of Scotts Valley agrees that the assessment methodology used by the Auditor’s Office (AO) is a valid and valuable assessment tool in assessing financial risk, and can be used to effectively communicate financial risk to decision makers, stakeholders and the community. However, it should not be considered authoritative in that there are several other tools that have been developed by the Government Finance Officers Association, the League of California Cities, and others that can also be used as a valuable assessment of inherent financial risk of a city like ours. The Auditor’s Office methodology places a heavy reliance on pension obligations. While this may be an important risk to consider, likewise risks associated with revenues, infrastructure, other post employment benefit obligations, and operational costs such as maintaining competitive salaries in an area that competes heavily for talent in Silicon Valley but without the financial resources to effectively compete, are just as much if not a higher risk to our community.

**F2. RISK ASSESSMENT:** All SCC Cities did not fully consider the calculated high risk indicators from the Auditor’s Office and their potential impacts on city operations, services, and capital assets/infrastructure.

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

**Response explanation** (required for a response other than **Agree**):

The City of Scotts Valley developed a fiscal sustainability plan in 2017 that identified a fiscal gap that the City’s General Fund was going to experience without corrective action. The impacts on operations, services and capital assets/infrastructure have been at the forefront of the collective minds and efforts of the City Council, senior management team, and operations staff. The City addressed the risks associated with several key financial indicators included in the AO’s methodology: 3) General Fund reserves; 4) revenue trends; 5) pension obligations; 6) pension funding; 7) pension costs; 8) future pension costs; and, 9) OPEB obligations. Each of these were incorporated into the financial model/forecast that the City used to determine future fiscal impact. The result was a keen understanding of the impacts to funding core General Fund operations, including potential reductions in police, parks, recreation, public works and city administration. The potential reduction in funding City streets and parks infrastructure improvements was indicated as potential outcomes of not addressing the fiscal gap.

To say that we did not consider those risks is inaccurate and demonstrates a lack of understanding of the importance of the City’s fiscal sustainability plan in addressing the financial risks faced by the City.

**F3. RISK ASSESSMENT:** The state of risk determined for all SCC Cities by the Auditor's Office in 2017 remained largely unchanged through 2019.

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

**Response explanation** (required for a response other than **Agree**):

**F4. RISK ASSESSMENT:** Pension costs contribute a higher level of financial risk to all SCC Cities than is accounted for by city documents.

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

**Response explanation** (required for a response other than **Agree**):

The City's pension costs have been fully discussed and disclosed in all of its key financial documents, including:

1. Annual Budget for FY 2017-18, 2018-19, 2019-20 and 2020-21
2. Five Year Forecast included within each of the Annual Budget documents indicated above
3. Comprehensive Annual Financial Reports (CAFR) for FY 2017-18, and 2018-19 2019-20 (FY 2020-21 CAFR has not yet issued).

In addition, and as a direct result of the COVID-19 pandemic, the City contracted with a consultant to develop an updated recessionary fiscal model that was presented to the City Council in May 2020. This fiscal model included an analysis of pension cost risks associated with potential market losses by CalPERS and the long-term potential decline in the discount rate and the impacts that those would have on the City's General Fund in future years.

**F5. RISK ASSESSMENT:** Financial Risk Indicators alone are not adequate to effectively understand the risks facing all SCC Cities.

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

**Response explanation** (required for a response other than **Agree**):

**F6. RISK ASSESSMENT:** All SCC Cities do not fully identify, assess, track, and report key risk indicators that reflect the state of strategic, financial, operational, or hazard risk.

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

**Response explanation** (required for a response other than **Agree**):

**F7. RISK ASSESSMENT:** All SCC Cities do not adequately evaluate the possible interactions between risks that may inhibit or enhance the objectives of each city.

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

**Response explanation** (required for a response other than **Agree**):

The City believes it has adequately evaluated the financial risks as evidenced in its annual adopted budgets and fiscal sustainability plan indicated earlier. Hazard risk is addressed in the City's risk management program with its public entity risk pool administrator. Operational risks are addressed through consultation between the City Manager and respective department heads and/or managers within each operational area.

**F8. RISK ASSESSMENT:** All SCC Cities either do not maintain or do not publish a report card on the state of key infrastructure that can be used to set funding priorities and manage operational and hazard risk.

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

**Response explanation** (required for a response other than **Agree**):

While the City does not publish a “score card” of its infrastructure, per se, the City does evaluate its key infrastructure in the form of third party studies or analyses on its infrastructure. For example, the City conducts pavement management studies on its streets infrastructure, and wastewater system master plan and analysis as required by State law to ensure that collection and treatment systems are maintained properly. In these two examples, the City establishes fiscal policy to maintain these capital assets to standards established by Council policy and/or State requirements.

These forms of analyses factor into the development of a 5-year Capital Improvement Project (CIP) Plan that is included in the five-year financial forecast incorporated into the annual budget process. Council then makes funding decisions regarding operations and capital investment based on an assessment of the status of infrastructure in those analyses. Operational and hazard risks are not ignored as the finding might suggest.

**F9. RISK MANAGEMENT:** Although all of the cities of SCC are preparing for increased pension costs due to current amortization schedules, they are not adequately preparing for risk associated with significant or sustained investment shortfalls in CALPERS due to economic shocks (e.g. caused by Coronavirus) or a recession.

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

**Response explanation** (required for a response other than **Agree**):

As mentioned in F4, the City contracted with a consultant to develop an updated recessionary fiscal model that was presented to the City Council in May 2020. This fiscal model included an analysis of pension cost risks associated with potential market losses by CalPERS and the long-term potential decline in the discount rate and the impacts that those would have on the City's General Fund in future years. The model has the capability of modeling investment shortfalls/losses in future years. Those were addressed when determining potential impacts to the City's fiscal sustainability plan as a result of the pandemic recession.

Ultimately, the City Council must determine what set of assumptions it wishes to make in terms of its baseline forecast in developing its fiscal plan. The City does not make an assumption that long-term investments will operate at losses or shortfalls, per se, but the Council is informed in regards to the potential fiscal and associated operational impacts as a result of reduction in the long-term discount rate as it makes its budgetary decisions.

**F10. RISK MANAGEMENT:** Except for the area of hazard (i.e. loss) risk management, in all SCC Cities, there is no formal method to define, track, manage, and communicate risks at the enterprise level of SCC city government.

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

**Response explanation** (required for a response other than **Agree**):

Financial risks at the enterprise level are discussed as part of the key assumptions and policy choices indicated in the City’s annual budget adopted by the City Council after public hearing, and were discussed relative to the development of a fiscal sustainability plan.

**F11. GOVERNANCE:** All SCC Cities do not have a publicly articulated pension Unfunded Actuarial Accrued Liability (UAAL) funding policy that recognizes potential pension cost risks and community expenditure/revenue priorities.

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

**Response explanation** (required for a response other than **Agree**):

The City adheres to the CalPERS funding methodology for UAAL and incorporates fully funding the annual actuarially required contribution to the plan in its annual budget. This is disclosed in the CAFR per GASB requirements. Those costs are incorporated as a contractually required core service cost, and as such community expenditure/revenue priorities are factored in based on funding UAAL costs first.

**F12. TRANSPARENCY:** All SCC Cities do not adequately meet key requirements for transparency as defined by the GFOA.

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

**Response explanation** (required for a response other than **Agree**):

The City's CAFR and annual adopted budget principally meet GFOA elements for communicating financial information. The only GFOA element lacking is a searchable, live data set.

**F13. TRANSPARENCY:** All SCC Cities do not provide standard and understandable reporting with regard to: Pension Costs and Associated Impacts (past, current, and projected); Service Level Performance Metrics; State of Key Infrastructure; Risk Assessments and Mitigation Plans for Finance, Operational, and Hazard Risks.

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

**Response explanation** (required for a response other than **Agree**):

## **Recommendations**

**R1.** By June 30, 2021: all SCC Cities should become familiar with and adopt the Auditor’s Office risk assessment framework or a similar framework to assess financial risk. (F1)

**HAS BEEN IMPLEMENTED** – summarize what has been done

**HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe

**REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)

**WILL NOT BE IMPLEMENTED** – explain why

### **Response explanation, summary, and timeframe:**

Under the current economic situation, health mandates, and the City’s limited staffing levels, the City does not have the capacity to evaluate whether this should be implemented and whether the benefits would outweigh the costs. As explained earlier, the AO’s framework places a significant weight on pension costs. Given our City’s reliance on elastic revenue sources (sales tax and transient occupancy tax), and one of the lowest property tax apportionment rates in the State (let alone the County), we pay much greater attention to revenue sources and rely on CalPERS actuarial analysis to identify trends for pension costs.

Ultimately, while a risk assessment framework makes sense, we do not have the capacity to implement such a framework in the near term, and especially not in the next six months.

**R2.** By June 30, 2021: all SCC Cities should evaluate and communicate the implications of the financial risk trends indicated in the analyses calculated from the Auditor's Office methodology. (F2, F3)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

**Response explanation, summary, and timeframe:**

As indicated in R1, we do not have the capacity to implement the AO framework and create a reporting of risk assessments as prescribed in their model. We also need to further evaluate the costs associated with implementation to determine if the incremental benefits outweigh the approaches we already take and the incremental opportunity costs for implementing this framework given other pressing priorities.

**R3.** By June 30, 2021: all SCC Cities should publish a standard report annually that is an understandable summary of pension risk, including a narrative on the implications of market valuation versus actuarial valuation of accrued total liabilities. (F4, F12, F13)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

**Response explanation, summary, and timeframe:**

The City's pension liabilities are reporting in the annual CAFR and a discussion of the future risks are incorporated into the City's current budget process. Developing a separate report is not necessary, and ultimately should be discussed in the larger context of the City's overall financial health as evidenced in our CAFR and annual budget.

**R4.** By June 30, 2021: all SCC Cities should identify a suite of risk indicators that support an integrated assessment of all risk types that can inhibit the ability of the city to meet its objectives. Enterprise Risk Management (ERM) provides an example of the risk types that should be considered. (F5, F6)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

**Response explanation, summary, and timeframe:**

Many of the risk assessment factors and considerations in the ERM model are already considered by the City Council in the annual budget process. Whether the City fully implements the ERM model requires additional analysis, which given our current pressing priorities and limited staffing make assessment of implementation not possible in the near term, and especially in the coming six months.

**R5.** By June 30, 2021: all SCC Cities should adopt the practice of Bowtie Analysis, or an equivalent method, to support the understanding of risk interactions, the establishment of risk controls, and the communication of a city risk profile. (F7, F10, F12, F13)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

**Response explanation, summary, and timeframe:**

As indicated in R2 and R4, the City does not have the capacity in the coming six months to analyze whether the Bowtie Analysis approach to risks and impacts is of greater value than the approaches already incorporated into the existing annual budget process.

**R6.** By June 30, 2021: all SCC Cities should publish their own infrastructure risk report cards and any data they make available to county and state level risk assessments. (F8)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

**Response explanation, summary, and timeframe:**

As indicated in F8, the City evaluates its key infrastructure in the form of third party studies or analyses on its infrastructure, which analyzes the financial and operational risks associated with not maintaining and upgrading said infrastructure.

The City reports on infrastructure risk to various agencies that may need to know. Such data is made available when completing state reports and applying for grants. A comprehensive infrastructure risk report card might make sense for a larger, more complex entity. We do not see value in creating such a report card for Scotts Valley that would add incremental benefits that outweigh the costs and benefits currently derived from our existing approaches.

**R7.** By June 30, 2021: all SCC Cities should evaluate the costs and benefits of implementing an Enterprise Risk Management Framework to better integrate risk management across all types of risks (Strategic, Financial, Operational, Hazard). This could take many forms, one being a shared capability through a risk sharing Joint Powers Authority (JPA). The key will be designating clear authority and responsibility for integrated risk management. (F10)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

**Response explanation, summary, and timeframe:**

The City believes its current risk management efforts, in coordination with the existing risk pool, is adequate to properly address the various kinds of risks facing Scotts Valley. The City does not have the capacity in the coming six months to analyze whether there is greater value than the approaches already incorporated into existing risk management practices and the City's annual budget process.

The City has already identified the City Manager as the authority and responsibility for integrated risk management across the City departments and reports on risk management efforts to the City Council.

**R8.** By June 30, 2021: all SCC Cities should develop financial models that project the possibilities of realistic financial scenarios; and use these projections in their risk management practices. (F13)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

**Response explanation, summary, and timeframe:**

The City’s existing five-year forecast, supplemented by the recent recessionary forecast model developed by consultants, addresses the fiscal scenario modeling necessary to understand financial and operational risks on a long-term basis.

**R9.** By January 1, 2021: all SCC Cities should develop or adopt contingency plans for realistic negative financial performance scenarios associated with CALPERS investment shortfalls (for shock and sustained downturns). (F9)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

**Response explanation, summary, and timeframe:**

As indicated in R8 and F9, our financial forecast models assess the impacts of investment shortfalls and the potential for a reduced discount rate should the CalPERS Board decide to reduce that rate in future years.

**R10.** By June 30, 2021: all SCC Cities should develop and publish a policy regarding control of retirement costs (pension and Other Pension Employee Benefits) and funding remedies for unexpected bills presented by CalPERS. (F11)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

**Response explanation, summary, and timeframe:**

The City has taken steps to control pension and OPEB costs, including negotiating a share of pension costs with employees and limiting OPEB retirement benefits to the CalPERS PEMHCA minimums required by state law. The 2-year delay that exists between a market downturn and the timing in which they hit the City's CalPERS pension costs provides sufficient time to address those cost increases in the annual budget and long-range forecast process.

**R11.** By June 30, 2021: all SCC Cities should develop a plan to align with the Government Financial Officers Association (GFOA) Financial Transparency Initiative. This should be extended to risk management transparency. (F6, F8, F10, F12, F13)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

**Response explanation, summary, and timeframe:**

The City meets the GFOA standards of financial reporting in its CAFR, and has a comprehensive budget document that outlines the key issues facing the City and portraying its fiscal health through its long-range forecast and discussion included in the document. The City’s fiscal sustainability plan further provides transparent information concerning the City’s fiscal health and risks for not achieving fiscal sustainability. The combination of these documents, staff reports, Council presentations, and other documents available on the City’s website meet the needs for transparency.

## **Penal Code §933.05**

1. For Purposes of subdivision (b) of §933, as to each Grand Jury finding, the responding person or entity shall indicate one of the following:
  - a. the respondent agrees with the finding,
  - b. the respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
2. For purpose of subdivision (b) of §933, as to each Grand Jury recommendation, the responding person shall report one of the following actions:
  - a. the recommendation has been implemented, with a summary regarding the implemented action,
  - b. the recommendation has not yet been implemented but will be implemented in the future, with a timeframe for implementation,
  - c. the recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of the publication of the Grand Jury report, or
  - d. the recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
3. However, if a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a County department headed by an elected officer, both the department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected department head shall address all aspects of the findings or recommendations affecting his or her department.
4. A Grand Jury may request a subject person or entity to come before the Grand Jury for the purpose of reading and discussing the findings of the Grand Jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
5. During an investigation, the Grand Jury shall meet with the subject of that investigation regarding that investigation unless the court, either on its own determination or upon request of the foreperson of the Grand Jury, determines that such a meeting would be detrimental.
6. A Grand Jury shall provide to the affected agency a copy of the portion of the Grand Jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. **No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.**