

**2006-2007  
YOLO COUNTY GRAND JURY  
FINAL REPORT**

**A report for the Citizens of Yolo County**

**June 30, 2007  
Woodland, California**

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**LETTER TO JUDGE:**  
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GRAND JURY  
County of Yolo  
P.O. Box 2142  
Woodland, CA 95776

June 30, 2007

Judge Kathleen M. White  
Yolo County Superior Court  
725 Court Street  
Woodland, CA 95695

Dear Judge White,

As Foreperson of the Yolo County Grand Jury, I present the Grand Jury Final Report to you and to the residents of Yolo County. This report represents the dedicated and conscientious commitment of the members for the past year.

Since taking the oath on July 5th, 2006, members of the Grand Jury have formed an efficient, cooperative unit. We received 15 complaints, heard and signed 3 criminal indictments, and conducted tours of the California Highway Patrol Academy and Winters Police Department, as well as the following Yolo County Departments: Adult Day Health Center, Animal Shelter, Central Landfill and the Juvenile Detention Facility. In addition, the Grand Jury received special presentations from a number of county departments and agencies regarding their missions and community services.

It is important for the public to recognize that the Grand Jury does not have power or authority to mandate compliance by public agencies to its findings or recommendations. The members serve the general public as “watchdogs” of county government agencies and the purpose of the findings and recommendations is to make the public aware of issues before these agencies and to require the agencies to examine their policies and procedures so as to best protect the interests of the public. I appreciate being selected as a juror in the prior year and especially for the opportunity to be the foreperson of the 2006/07 Yolo County Grand Jury. It has been a rewarding and memorable experience.

Sincerely,  
Leanne Thomson  
Foreperson, 2006-07

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**INTRODUCTION:**  
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**ABOUT THE GRAND JURY**

The California Constitution requires each county to appoint a Grand Jury to guard the public interest by monitoring local government. The Yolo County Superior Court appoints 19 Grand Jurors each year from a pool of volunteers. The Yolo County Grand Jury is an official, independent body of the Court, not answerable to administrators or the Board of Supervisors.

Unlike grand juries in other states, a California Grand Jury’s primary responsibility is to promote honesty and efficiency in government by reviewing the operations and performance of county and city governments, school districts, and special districts. Based on these reviews, the Grand Jury issues a report that may state its findings and recommend changes in the way government conducts its business. Copies are distributed to public officials, county libraries, and the news media. The governing body of any public agency must respond to Grand Jury findings and recommendations within 90 days. An Elective Officer or Agency Head must respond to Grand Jury findings and recommendations within 60 days. (See Appendix for responses to the 2005-2006 Grand Jury report.)

The Grand Jury also investigates complaints from private citizens, local government officials or government employees. Complaints must be submitted in writing and should include any supporting evidence available. A person can request a complaint form at any local library or from the Grand Jury at P.O. Box 2142, Woodland, CA 95776. Grand Jurors are sworn to secrecy and, except in rare circumstances, records of their meetings may not be subpoenaed. The secrecy ensures that neither the identity of the complainant nor the testimony offered to the Grand Jury during its investigations will be revealed. The Grand Jury exercises its own discretion in deciding whether to conduct an investigation or to report its findings on citizen's complaints. Any juror who has a personal interest in a particular investigation is recused from discussion and voting regarding that matter.

The findings in this document report the conclusions reached by the Grand Jury. Although all the findings are based upon evidence, they are the product of the Grand Jury's independent judgment. Some findings are the opinion of the Grand Jury rather than indisputable statements of fact. All reports included in the document have been approved by at least 12 jurors.

The Grand Jury's final responsibility is to consider criminal indictments, usually based on evidence presented by the District Attorney. On its own initiative, however, the Grand Jury may investigate charges of malfeasance (wrongdoing), misfeasance (a lawful act performed in an unlawful manner), or nonfeasance (failure to perform required duties) by public officials.

To be eligible for the Grand Jury, a citizen must be at least 18 years old, have resided in Yolo County for at least one year, exhibit ordinary intelligence and good character, and possess a working knowledge of the English language.

Following a screening process by the Court, Grand Jurors are selected by lottery. If someone is interested in becoming a Grand Juror, they can submit their name to the Jury Commissioner, 725 Court Street, Room 303, Woodland, CA 95695, telephone (530)406-6824 or 6828.

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#### **THE 2006-2007 YOLO COUNTY GRAND JURY**

Leanne Thomson, Foreman, *Woodland*

Stevonna Adams, *West Sacramento*

Suzanne Aguilar, *Woodland*

John F. Baggaley, *Woodland*

Steven Blake, *Davis*

Barbara Burr, *Davis*

Vita S. Cooper, *Davis*

Charles G. Godefroy, *Davis*

George S. Gumpy, *Woodland*

Todd Juchau, *Davis*

Catherine Kennard, *West Sacramento*

Max Levine, *Woodland*

Robert Mata, *West Sacramento*

Anne P. McDonald, *Capay*

Linda Nelson, *Davis*

Stanley Moorhead, *Woodland*

Terry Olson, *Winters*

David Trauner, *El Macero*

Fred G. Williams, Jr., *Davis*

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#### **INVESTIGATIONS:**

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#### **WASHINGTON UNIFIED SCHOOL DISTRICT (WUSD)**

##### **REASON FOR REVIEW**

The 2005-2006 Grand Jury presented fifteen findings and eighteen recommendations on the Washington Unified School District Board of Education in its final report. The 2006-2007 Grand Jury continued to monitor WUSD, as recommended in Finding 06-53.

##### **BACKGROUND**

The WUSD Board of Education oversees all West Sacramento public education students at eight elementary schools, one middle school, one comprehensive high school, and one continuation high school. An elected five-member school board selects the WUSD Superintendent who in turn supervises all other district staff.

##### **FACTS**

1. The School Board did respond to the 2005-2006 Grand Jury report. While the Grand Jury considers the response incomplete, it did reflect that the Board shared some of the same concerns on the issues raised by the Grand Jury report.
2. The Grand Jury's investigative techniques are not based on the "perusal" of newspaper articles or letters to the editor. All Grand Jury investigations are conducted by three or more jurors who take sworn testimony from witnesses. All testimony and witnessed who come before the Grand Jury are guaranteed confidentiality.
3. The School Board has made efforts to address claims of Brown Act violations and is aware of conflict of interest regulations. The Board and the Superintendent continue to bring difficult issues to the community for discussion, such as revisions to the high school building plans, charter schools, and the K-8 school reconfiguration proposal.

#### **FINDINGS**

1. The WUSD School Board has a difficult task. No governing board will satisfy every member of the community.
2. The new board members and the Superintendent need an opportunity to act and have their decisions evaluated by the community.

#### **RECOMMENDATIONS**

The 2006-2007 Grand Jury recommends that the 2007-2008 Grand Jury continue to monitor and report on the progress of the activities of the WUSD as needed.

#### **SOURCES**

Parents, teachers, current and former officials

### **YOLO COUNTY HOUSING AUTHORITY**

#### **REASON FOR REVIEW**

The 2005-2006 Grand Jury issued an extensive Interim Report on the financial mismanagement and hostile workplace conditions at the Housing Authority (HA). In its Final Report in 2006, the Grand Jury made note of the actions taken to deal with the recommendations they made and requested that the 2006-2007 Grand Jury follow up with interviews to provide an update on conditions at the Authority.

#### **BACKGROUND**

Six different Grand Jury panels, comprised of more than one hundred different individuals, issued reports for six out of seven years containing findings that clearly indicated there were significant problems, possibly criminal, at the Housing Authority. Five of those reports were dismissed by the authorities without any serious consideration being given to correcting the situation. Complaints continued to come to the Grand Jury with allegations of financial malfeasance and misfeasance and employee mistreatment.

In January, 2006, the Board of Supervisors contracted with Judge Richard Gilbert (ret) to investigate the Grand Jury's allegations. While the Judge was unable to corroborate all of the Grand Jury's findings, he did come to essentially the same conclusions as those stated in the Interim Report. (See Appendix for the full text of Judge Gilbert's findings).

In June, 2006, the Board of Supervisors dissolved the Board of Commissioners and created an interim governing body comprised of the Supervisors and two resident Commissioners. The Executive Director was forced to resign and is currently facing 19 felony charges including grand theft, fraud, and filing false statements.

In July, 2006, the Interim Director of the Housing Authority appointed by the Supervisors, reported to the Board with 161 "action items" to be incorporated into a work plan to begin the process of restoring the Authority to solvency and efficiency.

During that period, the Supervisors, acting as the Board of Commissioners commenced a search for a permanent Executive Director. In November 2006, Lisa Baker was hired as the Executive Director of the Yolo County Housing Authority.

#### **FACTS**

Based on information provided to the Grand Jury the following facts indicate that the new administration is taking the appropriate steps to correct past mismanagement impacts and practices and to restore the financial integrity of the Authority:

- The Authority was given a clean audit for 2006
- The management and staff are working together on the processes necessary to restore fiscal solvency to the Authority.
- As of February, 2007, the Director was negotiating with HUD to restore \$793,000 in withheld federal funds. Cost containment and cost cutting, as well as improved rent collections have helped to reduce the operating deficit and cash flow problems inherited from the previous administration.
- The HA staff is working on initiatives to improve service to the communities they serve as well as incorporating the migrant housing program more closely into the HA initiatives.
- Non-essential services have been reduced or eliminated as cost saving measures.
- The Authority has expectations that federal funding will be increased in 2008.
- Morale at the HA has improved dramatically as noted by the employees and the community they serve. Feedback on the new management has been very positive. Other than one retirement there has been no attrition among the HA employees.
- Staff development and training is emphasized to upgrade and improve employee qualifications.
- Public outreach programs and joint initiatives with other non-profit and for-profit organizations are being pursued.

#### **FINDINGS**

The Grand Jury commends the Board of Supervisors for taking the necessary steps to correct the problems at the Yolo County Housing Authority. The selection of the Interim Director to identify the problems and make recommendations for rectifying them was the appropriate course to take. The hiring of a professional manager with more than 20 years of

experience with subsidized housing programs, troubled housing agencies, and community development should promote both the managerial and the fiscal integrity of the agency.

**RECOMMENDATIONS**

None.

**SOURCES**

Current and former Housing Authority staff

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**TOURS:**

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**YOLO ADULT DAY HEALTH CENTER**

**REASON FOR REVIEW**

As part of its responsibility for oversight of Public Institutions within the County, the Yolo County Grand Jury visited the Yolo Adult Day Health Center.

**BACKGROUND**

The Adult Day Center was established in 1984. Staffing, services, and equipment requirements are governed by Title 11 of the California Code. This facility currently serves 45-50 clients per day and has 77 clients enrolled in their programs. Most clients participate two or more days per week. Each client is given an assessment and an individualized care plan is tailored for them by a multi-disciplinary team to meet their needs based on their physical and cognitive abilities. The participants may be referred by family, home health agencies, Adult Protective Services or physicians. The Licensee for the program is Yolo County which also owns the building and grounds and provides the maintenance. Woodland HealthCare provides the staffing and program oversight.

Regulations restricting the amount of time a client may remain in the transportation vehicles used by the facility curtail the services the center can provide. As a result, the cities of Dunnigan and Clarksburg are not serviced by the facility.

**FINDINGS**

1. The Center is equipped to provide for and assist with activities of daily living.
2. Physical and speech therapy are provided.
3. Medical monitoring and medication management occurs throughout the day.
4. Crafts, exercise, and other social and recreational activities are available to all.
5. Those clients with Alzheimer or Dementia diagnoses have a separate room and special activities consistent with their abilities.
6. A morning snack and a full lunch are prepared on site.
7. The use of volunteers from surrounding high schools and local colleges, when available, is integral to the program.
8. The facility provides relief for the clients' caregivers and also offers training, support groups, and resource information to them. The program has reduced the number of visits to Emergency Rooms and minimizes hospital stays for this clientele.
9. The facility currently has three buses with lifts. These buses have the capacity to transport 18 passengers in each vehicle.

**RECOMMENDATIONS**

None. The Grand Jury appreciates the efforts of the staff to provide the jurors with a complete overview of the facility and its services.

The Grand Jury did notice the absence of handicapped access doors at the entrance to the facility and hopes that condition will be corrected in the near future.

**YOLO COUNTY ANIMAL SHELTER**

**REASON FOR REVIEW**

The California Penal Code requires the Grand Jury to inspect and review the conditions and management of various county departments and facilities. In accordance with that requirement, the Grand Jury visited the Yolo County Animal Shelter.

**BACKGROUND**

The current shelter was constructed in 1969 and provides services for the four incorporated cities and the unincorporated areas of the county. Animal control services are provided under contract. While the human population of the county has tripled, the capacity of the Shelter to manage the increase in the feral, stray, and abandoned animal population has remained essentially the same for 35 years.

**FINDINGS**

1. In conjunction with the UCD Veterinary program, services will be expanded from part-time to full time. At no increased cost, the Shelter will conduct rabies clinics more than twice a year; offer more opportunities for students to provide emergency care; and establish an alternative surgery program.
2. The Shelter has taken steps to "professionalize" its work and to become more than "dog and cat catchers." They are providing more education and counseling for pet adoptions for residents of apartment complexes housing large numbers of

students. This has resulted in fewer incidents of abandoned pets by graduates and/or students leaving animals unattended over the summer.

3. The Shelter has established a cooperative program with breed-specific rescue groups in order to secure the placement of more of the dogs they capture. Feral cats in rural communities are the most labor and cost intensive programs and they are having the most impact on the Shelter's resources and their ability to provide services.

4. The development of a "socialization/temperament" testing process by animal behaviorists at UCD allows the Shelter to reduce its liability and the risks attendant in dog adoptions.

5. The Shelter expects to leave the existing facility within the next five years. The goal is to locate a more isolated site large enough to accommodate livestock and to accommodate the housing needs for all of the animals.

6. The Shelter would like to have more support for training in order to provide additional enforcement for animal control and the "hoarding" of animals by those least able to provide proper diet and medical care.

7. The Shelter is seeking alternative funding sources to ensure that all impounded animals receive a micro-chip in order to have a better inventory of those repeat offenders who adopt and then abandon shelter animals.

#### **RECOMMENDATIONS**

None. The Grand Jury wishes to thank the staff at the Shelter for their courteous and comprehensive review of the Shelter and its operations.

### **CALIFORNIA HIGHWAY PATROL ACADEMY**

#### **REASON FOR REVIEW**

The California Highway Patrol is a state agency and as such, is not subject to Yolo County Grand Jury jurisdiction. Because the facility is located in Yolo County, the Grand Jury requested an informational tour.

#### **BACKGROUND**

Located on 457 acres in West Sacramento, the California Highway Patrol conducts a training academy to maintain staffing of approximately 7,000 sworn officers to serve the citizens of California.

Facilities include an administration building, dorm rooms to house over 300 cadets, nine permanent classrooms, and a cafeteria that seats 400. There is a recreation building that includes a gymnasium with a swimming pool and there is an Emergency Vehicle Operations Course (EVOC) with a 2-mile high speed track, skid pan, and a 3-mile defensive driving network, motorcycle network, firing range, and K-9 course.

There are two memorials which honor those officers who died in the line of duty, plaques on the walls of the administration building, and a memorial fountain in the courtyard.

The training course is a six-month program which includes, in addition to daily classroom instruction, 90 hours of physical fitness training, 72 hours of physical methods of arrest, 50 hours of EVOC. After a stringent application process, approximately 80% of cadets graduate successfully from the program at a cost of approximately \$100,000 per cadet.

#### **FINDINGS**

1. Physically, the academy is immaculate, both inside and out. This training facility has been operating continuously since July of 1976 and appears to be very well maintained.

2. There is an emphasis on honor, discipline, and tradition.

#### **RECOMMENDATIONS**

None. The Grand Jury wishes to thank the staff for a comprehensive and informative tour.

### **YOLO COUNTY CENTRAL LANDFILL**

#### **REASON FOR REVIEW**

As part of its responsibility for the oversight of public facilities within the County, the Grand Jury visited the Yolo County Central Landfill on January 11, 2007.

#### **BACKGROUND**

The Yolo County Central Landfill is located at 44090 County Road 28H, between Davis and Woodland. It is comprised of 724 acres, of which 473 acres are permitted for landfill. The landfill is owned by Yolo County and operated by the Yolo County Planning and Public Works, Division of Integrated Waste Management. It is a Class III (i.e. non-hazardous) waste facility responsible for processing solid waste from the cities of Davis, West Sacramento, Winters, Woodland, and the unincorporated areas of the county.

#### **FINDINGS**

1. The landfill is self-funded through collection fees, royalties, grants, and recycling sales. No tax dollars go toward its funding.

2. Currently, the waste is sequestered in dry cells. These are dump sites of solid waste surrounded by layers of soil, gravel, and a plastic liner, which prevent or greatly reduce the contamination of ground water.

3. There are five research wet cells. These are bioreactors that distribute moisture and nutrients to allow for increased microbial degradation of wastes. It has been shown that the waste decomposes and compacts approximately ten times faster than in a dry cell. There is an added bonus of increased methane gas production, which is being collected and sold commercially, helping to offset the increased cost of maintaining a wet cell and possibly generate a profit, depending on future energy prices.

4. When the current dry cell is full in five to eight years, all future cells will be wet. It is estimated that the facility has space for 40 more years of waste disposal. At that time, by raising the current height limit of the landfill, an additional 40 years of waste can be accommodated. To increase efficiency, a new administration building is near completion at the landfill, which will consolidate the waste management offices in Woodland and at the site.
5. The future disposal needs of the County appear to be well planned.

#### **RECOMMENDATIONS**

None. The Grand Jury wishes to thank Linda Sinderson, Deputy Director of the Division of Integrated Waste Management for the county for her comprehensive presentation and tour of the facility.

### **YOLO COUNTY JUVENILE DETENTION FACILITY**

#### **REASON FOR REVIEW**

California Penal Code 919 (b) mandates that each year members of the Grand Jury investigate and report on the conditions and management of public detention facilities. The Grand Jury toured this facility on January 12, 2007.

#### **BACKGROUND**

Faced with an aging inadequate facility originally built to house 12 minors, the issues of overcrowding and security clearly indicated the need for a new facility. In 2000, Federal grant funding became available and construction of a new facility began in March 2004. Occupancy commenced in August 2005.

#### **FINDINGS**

1. The new facility consists of three pods. In each pod there are 30 beds, two classrooms, a day room, showers, and an interview room. Yolo County Office of Education (YCOE) provides academic programs for the detained minors. The Staff also provides a Regional Occupational Program (ROP), which includes computer literacy training and resumé composition.
2. The California Forensic Medical Group (CFMG) provides medical services. There is a Registered Nurse available during normal administrative hours and on-call services are available after hours.
3. The facility provides recreational and entertainment activities. The minors may receive visits from parents or legal guardians once a week during the week and for an hour on weekends. They may write and receive letters and correspondence without limit subject to the screening policies and procedures of the facility.

#### **RECOMMENDATIONS**

None. The Grand Jury found the staff caring and knowledgeable and they demonstrated the professionalism the community hopes to have within such a facility.

### **MONROE DETENTION CENTER**

#### **REASON FOR REVIEW**

In accordance with the requirements of California Penal Code 919(b), the Grand Jury toured the Monroe Detention Center on December 6, 2006.

#### **BACKGROUND**

Since the opening of the facility in 1991, the County Jail has been utilized to detain individuals of all security classifications pending their arraignment, during trial, and post sentencing. Upon arrival at the Center, all inmates are first screened for potential physical and mental health needs, and treatment is provided as needed. Inmates are classified, housed, clothed, and fed according to established policies and procedures. At present there are 92 correctional officers at the facility.

There have been significant changes in the population of the county facility and in the means of supervision utilized. There are more serious offenders incarcerated than in the past. In 1988 there was one felony murder inmate in the jail; at the end of 2006, there were three. The facility currently houses approximately 450 inmates, including ten federal prisoners awaiting pretrial appearances.

The facility operates on a budget based on a "day rate" of \$85 per inmate. The staff follows a behavior-based response system. The officers do not carry weapons inside the facility. Officers are armed with pepper spray, tasers, and handcuffs to deal with control situations. The facility has increased the number of cameras to cover those areas where inmates move between locations. There is now a coordination of cameras and door locks providing the correctional officers a greater sense of security.

The housing units or "pods" each have a day room. The facility offers a number of donated books and provides newspapers in English, Spanish and Russian languages. There is a protective custody section as well as housing elements to keep various gangs separate from one another.

First Aid and routine services such as anger management, alcohol and drug classes are held at the facility. There are GED classes and other related services available for those inmates who wish to take advantage of them. Special needs such as dental visits require inmate transport to the service provider.

A half-pod of thirty-two cells is dedicated to housing women prisoners. This area is a "mini-jail" in which inmates are segregated by the level of security they require.

#### **FINDINGS**

The Grand Jury would like to express its appreciation to the jail staff for providing a comprehensive and informative tour of the facility.

#### **RECOMMENDATIONS**

None.

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**SPECIAL THANKS:**

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The 2006-2007 Grand Jury wishes to express its thanks to the following persons for their presentations to the panel:

- Sharon Jensen, County Administrator
- Robyn Drivon, County Counsel
- Hon. Kathleen White, Judge of the Superior Court
- David Henderson, District Attorney
- Neal Peart and David Brown, Sacramento-Yolo Mosquito and Vector Control
- Elizabeth Kemper, Executive Officer, Local Agency Formation Committee (LAFCO)
- Bill Martin and Kyle Noderer, Office of Emergency Services
- Tim O'Halloran, General Manager, Yolo County Flood Control and Water Conservation District
- Larry Walker, Larry Walker Assoc., Water Quality and Waste Water Treatment and Discharge
- Steven Jensen, Yolo County Tobacco Education Program
- Jeff Reisig, District Attorney
- Harrison Jack, Yolo County Ombudsman

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**APPENDIX**

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**RESPONSES TO THE 2005-2006 GRAND JURY FINAL REPORT**

In accordance with Section 933(c) of the California Penal Code, the governing body of a public agency or its designated administrator must respond to the Grand Jury recommendations within 90 days. Other named respondents must respond within 60 days. Section 933.05 requires that the appropriate person or entity respond to both the findings and recommendations of the Grand Jury.

Each recommendation below from the 2005- 2006 Grand Jury Final Report is followed by an extract of the respondent's official response. The complete report is available at public libraries in Yolo County. The complete set of responses is available for public view at the office of the Clerk of the Yolo County Board of Supervisors.

**YOLO COUNTY HOUSING AUTHORITY**

Note: The Board of Supervisors was named by the 2005-2006 Grand Jury as the respondent to the Interim Report on the Yolo County Housing Authority (YCHA). The Board contracted for an independent consultant to review the Findings and Recommendations contained in the Interim Report and to report back to the Board with his conclusions. The Board's letter of transmittal to the Grand Jury states "It is our belief that the judge's (former Superior Court Judge Richard Gilbert) report fully addresses the issues and allegations raised by the Grand Jury, and serves as our formal response to Recommendations 06-09 through 06-18.

The report submitted to the Grand Jury was a summary of the confidential report submitted to the Board. The full report was not made available to the Grand Jury.

Because of the interest in the resolution to the YCHA issues, the Recommendations will be summarized and the Judge's response will be printed in full.

***Recommendations 06-09 through 06-18:***

- *Immediately abolish the Board of Commissioners and assume oversight and management of the YCHA until all the allegations have been investigated and criminal charges, if any, have been filed.*
- *Place the Executive Director and the Assistant Director on Administrative Leave, without pay, effective immediately.*
- *Contact HUD and demand an immediate review of YCHA accounting irregularities and an explanation for its lax oversight.*
- *Immediately begin an investigation of all financial dealings, loans, and debts incurred by the YCHA, New Hope and Nuevo Esperanza corporations. A determination should be made as to whether funds were properly allocated and loans were obtained with legitimate documentation.*
- *Seize all remaining financial records and provide an independent audit of the YCHA, New Hope and Nuevo Esperanza finances.*
- *Provide assurance that all employees are pre-screened according to HUD guidelines to determine their qualifications to perform the functions for which they were hired. Background checks must be a part of that process to assure the safety of the public and to protect public resources.*
- *Investigate the charges of bribery, kickbacks, and threats by the Executive Director to tenants, and current/former Commissioners and employees.*

- Investigate allegations that YCHA maintenance personnel have been used for non-authorized purposes.
  - Suspend the services of the YCHA's outside counsel pending an investigation of their contract with the authority.
  - Provide YCHA employees with appropriate representation who will act on their behalf to prevent further abuses.
- Employee protections and recourse should be defined and enforced.

**Responses for the Board of Supervisors by Judge Gilbert:**

Our investigation of the Yolo County Housing Authority conducted to assist the Board of Supervisors in its response to the January 24, 2006 Interim Report of the Yolo County Grand Jury is complete. I am submitting two forms of our report. The first is a complete, confidential report for the Board that includes our detailed findings and recommendations. The confidential report includes reference documents and evidence and the forensic accounting report of Ueltzen & Associates, Certified Public Accountants and Forensic Fraud Examiners.

Because the law requires that information on the performance of individual public employees be confidential and because the Authority is an independent public agency which is not part of County government and not under the direct authority of the Board, we are also submitting a summary report for public distribution which does not contain confidential information.

Our investigation did not substantiate many of the findings of the Grand Jury. In fact, many of the Grand Jury facts and findings are, in our opinion, clearly wrong or clearly not supported by reasonable evidence. It is also important to note that the great majority of Authority employees and managers are dedicated, hard working professionals. Nonetheless, we did find several significant problems at the Authority that, in our opinion, require Board action. The recommendations below are based on the following primary findings detailed in the accompanying reports:

1. The Authority and its management have misused restricted housing program funds in connection with several major endeavors including the acquisition and remodeling of their office facilities and in the acquisition of property in the City of Woodland by one of the Authority's non-profits. These transactions took place in violation of federal and state funding rules. Additionally, the Housing Commissioners were misinformed or incompletely informed of the details of the transactions and were deprived of the opportunity to adequately and independently review the actions proposed and taken by staff.
2. There is a history of stress and turmoil at the Authority beginning with the tenure of the current Executive Director. At present, the workplace atmosphere is one of fear and polarization. Staff operate under an inordinate amount of stress. Moreover, these conditions place the Authority at risk for claims of hostile work environment and other workplace related liability claims. There are multiple causes for these conditions which include the personnel practices of Authority management.
3. A long history of polarization and conflict among Housing Commissioners combined with a pattern of inadequate information and advice to the Commission concerning Authority operations and finance has compromised the ability of the existing Commission to carry out its statutory functions of management and control of Authority management and programs. This finding is not intended to question the motives, intent or integrity of the Commission or its members. The members of the Commission have served to the best of their abilities. Over the last several years, however, their effectiveness has been compromised by the actions of management, conflicts between themselves, and a series of vacancies at the Commission. Several current Commissioners would like to be replaced and the term of the remaining Resident Commissioner has expired.

Based on our investigation and analysis and the present circumstances, we recommend:

1. That the Board of Supervisors exercise its authority under the Health and Safety Code 34290 to eliminate the independent Housing Authority Commission and declare itself to be the Commissioners of the Authority for an interim period of approximately six to nine months.
2. That the Board, acting as the Housing Commission, engage the County Administrator to directly oversee and monitor the day-to-day management of the Authority. This oversight should, at the discretion of the County Administrator, be by existing County staff, an outside contractor selected for that purpose, or both.
3. That the Board, acting as the Housing Commission, direct the County Administrator to conduct an immediate audit of the management, practices, and programs of the Authority and of the non-profit "Community Development Corporations" wholly owned by the Authority and to report to the Board (Commission) on what further steps are needed to insure the future success and integrity of the Authority and its programs. The Board may wish to consider requesting the services of the County Auditor-Controller in connection with the necessary review of fiscal systems.

We note that the Commission has scheduled a special meeting for Saturday, June 17. We do not know whether the topics the Commission intends to discuss or the actions it may take will bear on the circumstances we have investigated. It is possible that one or more actions taken by the Commission will mitigate the circumstances resulting in the recommendations above. Accordingly, the Board should be prepared to consider these recommendations in light of any such developments. Should circumstances warrant, we will be prepared to offer alternatives.

It is the combination of the general findings listed above that support the above recommendations. It is not reasonable to assume that the two existing vacant Commission seats, as well as the two or three seats that may be vacated shortly can be filled with appointees willing and qualified to serve under the current circumstances. The problems we have found, along with the atmosphere of mistrust and controversy surrounding the Authority, require a swift and immediate response. At present, the only reasonable way to address the identified problems, insure the integrity of the Authority operations at the program level, and restore stability to the workplace in a timely way is to immediately deploy existing County staff resources and provide the direction and guidance of the Board of Supervisors. As noted above, the recommendation to dissolve the independent appointed Housing Commission is that this be for the shortest time needed to address the concerns we have identified and those discovered by the detailed, in-place review recommended above. When necessary changes and systems



are in place and stability restored, the Board should re-establish the Housing Commission and Authority as an independent body and appoint Housing Commissioners as required by statute.

Thank you for the opportunity to be of service.

Sincerely,  
Richard L. Gilbert

### **YOLO COUNTY ASSESSOR'S OFFICE**

Note: The Assessor states the following: "As I am not in agreement with the findings in the 2005-2006 Yolo County Grand Jury Report, the associated recommendations will not be implemented. I am, however, happy to meet with the Grand Jury at their convenience to further discuss the operations of the Assessor's office and address any additional concerns."

#### ***Recommendation 06-19:***

*The Assessor's Office should avoid the use of residential property in Davis as comparables for unique West Sacramento properties (with an arbitrary location adjustment). Use of other valuation methods or similarly situated comparables outside of Yolo County is more appropriate.*

#### **Response of the Yolo County Assessor:**

Finding #2 (Recommendation 06-19) is a misstatement. Management has never supported the use of Davis properties as comparables for West Sacramento properties. In one instance an appraiser did use this approach, which was ultimately rejected by management.

#### ***Recommendation 06-20:***

*If the State cannot provide early independent reviews of real property audits, then annual or bi-annual reviews by an independent source should be initiated. These reviews will help locate minor problems in the system and provide employee training as portions of Yolo County become more urbanized.*

#### **Response of the Yolo County Assessor:**

All properties for annual review with encoding errors were discovered by internal controls before the close of the assessment year and were reviewed in a timely manner, with the exception of one property. That property inadvertently missed review in only one year, and when found, it was determined that no correction was ultimately necessary. If a correction were necessary it could have been fully and legally corrected as state statute allows corrections to be made within four years of the original assessment year.

#### ***Recommendation 06-21:***

*The Assessor's Office should continue its efforts to authorize additional staff and supervisory positions. To the extent possible, internal promotions are recommended.*

#### **Response of the Yolo County Assessor:**

No response.

#### ***Recommendation 06-22:***

*The Assessor's Office should continue its efforts to increase communication at all staff levels. Monthly or bi-monthly meetings with all staff are recommended.*

#### **Response of the Yolo County Assessor:**

Finding #4 (Recommendation 06-22) – Overall morale in the Assessor's Office is good recognizing that all organizations face morale issues from time to time. With limited county resources, management cannot always fulfill every employee's request, which sometimes leads to morale issues. That, however, does not lessen management's commitment to providing a positive work environment.

The report indicates conflicting testimony on morale, which likely could have been cleared up upon further investigation and discussion with the department head. All managers in the Assessor's office have an open door policy that provides employees ample opportunity to communicate with management. Management is, and has been, committed to addressing employee morale issues as they arise and has regularly encouraged team-building activities to maintain a positive work environment.

### **POLICE DEPARTMENT, YUBA COMMUNITY COLLEGE DISTRICT**

#### ***Recommendation 06-23:***

*The Grand Jury for 2006-2007 follow-up with Yuba Community College District to ensure that remedial training of the officer in question has resulted in his improved job performance.*

#### **Yuba Community College District (YCCD) Response:**

(The YCCD responded through their attorneys on behalf of those employees of the District cited in the report as respondents)

Penal Code 933.05 allows a number of responses by the District to the findings of the Grand Jury. Subsection (a)(4) which allows a responding entity to respond as follows: "The recommendation will not be implemented because it is not warranted, or is not reasonable." As such, the District advises the Court that the District will not implement the findings of the Yolo Grand Jury that the District institute unspecified "morals" training for its employees. To the extent that it understands this finding, the District has, for some time, instructed its employees in an expected code of conduct and the

rules and regulations of the District. As the Court knows, the presence of a legal and moral structure does not always guarantee that it will be followed.

**Recommendation 06-24:**

*The Chief of Police for the Yuba Community College District demonstrate that he has in place a formalized training plan that has been implemented. Such a plan should include training for new hires as well as in-service training for experienced officers.*

**YCCD Response:**

The District's representative did not specifically address this Recommendation. The response can be inferred from the response to Recommendation 06-23 that the recommendation will not be implemented because it is not warranted or is not reasonable.

**Recommendation 06-25:**

*The Director of Human Resources for the Yuba Community College District demonstrate that in-service training, focusing explicitly on laws and ethics, has been provided to all certificated employees. A plan should be in place to insure that such training is offered to all new hires, and on an in-service basis at regular intervals.*

**YCCD Response:**

The District's representative did not specifically address this Recommendation. The response can be inferred from the response to Recommendation 06-24 that the recommendation will not be implemented because it is not warranted or is not reasonable.

**COMMUNITY HEALTH CENTERS**

Note: The President of the Board of Directors for CommuniCare Health Centers responded to the recommendations with the following stipulations: "We were requested by the 2005-2006 Yolo County Grand Jury Foreperson to submit a written response to the Recommendations in the 2005-2006 Grand Jury Final Report pertaining to CommuniCare Health Centers. We would like to clarify one main point. CommuniCare Health Centers is a private, non-profit with its own Board of Directors. It is not a public agency and is not a part of the Yolo County Health Department. Attached is a letter from the Yolo County Board of Supervisors also stating that CommuniCare Health Centers is an independent non-profit. The County of Yolo cannot respond for us since we are not an agency of the County. Accordingly, we will respond to each of the recommendations."

**Recommendation 06-26:**

*Communicare should be supported by all available means because it provides invaluable services to an otherwise unserved or underserved sub-population in Yolo County.*

**CommuniCare Response:**

We agree with this statement and are always seeking private and government funding to support the substantial amount of uncompensated care that we provide.

**Recommendation 06-27:**

*Serious consideration should be given to closure of the CommuniCare clinic in Knights Landing.*

**CommuniCare Response:**

We are committed to continuing to provide health care services to the Knights Landing community as long as it is financially feasible. We continue to seek funding to subsidize the operations at the Knights Landing clinic. CommuniCare continuously evaluates the financial feasibility of our health centers. At this time, there is no plan to close the Knights Landing clinic, but we will re-evaluate this decision as needed.

**Recommendation 06-28:**

*If the Knights Landing clinic is closed and it is found that some residents are unable to access other CommuniCare facilities, purchase of a van for transporting these clients, and others in outlying portions of the county, should be considered.*

**CommuniCare Response:**

We are not closing the Knights Landing clinic at this time. However, since public transportation is so limited in the rural sections of Yolo County, a van to transport residents for health care services to the population centers of the county would be beneficial.

**Recommendation 06-29:**

*The Executive Director is encouraged to continue efforts to manage transparently, so that staff is well informed.*

**CommuniCare Response:**

CommuniCare's Executive Director and members of CommuniCare's Leadership Team attend monthly staff meetings at all of our clinic sites to keep employees updated about the finances, program and facility changes, quality improvement initiatives and revenue enhancement activities of the organization and to receive their in-put on these issues as well.

## **YOLO COUNTY DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES (DESS)**

### ***Recommendation 06-30:***

*The Department of Human Resources must be more aggressive in recruiting new employees for DESS.*

#### **Response of the Director of Human Resources for DESS:**

The Department of Employment and Social Services (DESS) currently employs 360 individuals. As of July 1, 2006, 44 of the positions allocated to the department were considered vacant giving the department a 12.2% vacancy rate which is comparable to the county-wide turnover rate of 12.4%.

During the 2005-06 fiscal year, the Department of Human Resources issued 40 certification lists to DESS. Each certification list was for a position classification that may have been used for one or more vacancies. Each list contained 8 to 10 candidates who fully met the minimum qualifications for the position. There were a total of 372 certified individuals who were considered for the 40 certification lists. Our goal is to provide a department with 10 certified individuals per recruitment effort and the above numbers show that we regularly met that goal. Due to the fact that an appropriate number of candidates are being certified for consideration, a more aggressive recruitment will not resolve the concern of staff shortages.

As the Department of Human Resources observes statistics that alert us to potential problem areas, we investigate the reasons behind the concern. One such concern, brought forward in November of 2004 during contract negotiations, was the salaries offered to Public Assistance Specialists. Following a comprehensive review of these positions, on June 20, 2006, the Board of Supervisors approved increased salaries, revised position classifications, and a promotional ladder providing expanded career path opportunities for employees. The human resources department is undergoing an identical process for Employment Specialists and Social Workers, which will be brought to the Board of Supervisors in January, 2007. All of these changes will improve the marketability of the positions in DESS and are designed to retain employees within the Department.

The Department of Human Resources is committed to improving the recruitment and retention efforts in all departments. Moreover, the Department has developed a plan to improve classifications, compensation and recruitment efforts that should result in lower vacancy and turnover rates throughout the county within the next two years.

### ***Recommendation 06-31:***

*The new Director of DESS must carefully monitor the behavior and progress of the Assistant Director in question.*

**No response.**

## **WASHINGTON UNIFIED SCHOOL DISTRICT (WUSD)**

### ***Recommendation 06-36:***

*The WUSD Board must hire and unanimously support a permanent superintendent with experience in bringing differing factions to consensus, generating trust with parents and staff and the activation SLC's. Given the depth and breadth of experience required by this individual, the Grand Jury believes the hire should be new to the WUSD and compensation should be of secondary concern.*

#### **Board of Education Response:**

The Board of Education conducted a national search for a new superintendent utilizing the expertise of the California School Boards Association. The staff, community and Board gave input to the search advisor regarding the attributes and experience they would like to see in a new superintendent. A new superintendent was hired and he began his duties on June 30, 2006. The Board was unanimous in his selection and has empowered him to administer the district following the Board direction and Board policy.

In addition, the Board authorized the new superintendent to hire an assistant superintendent for educational services, a permanent high school principal and vice principals, two K-6 principals, an assistant superintendent of human resources and has approved the contracts with two new law firms.

### ***Recommendation 06-37:***

*Administrators, Board members and legal counsel, who are fully aware of the community's distrust, should make every effort to conduct themselves professionally and avoid situations that may appear inappropriate.*

#### **Board of Education Response:**

District level administrators and Board members are committed to the success of the students in the District. Their intention is to conduct themselves professionally as they carry out their duties and responsibilities.

#### **WUSD Superintendent of Schools Response:**

WUSD administrators are committed to the success of every child attending schools in our district. The expectation is that every representative of the district will conduct themselves professionally as they carry out their duties and responsibilities.

### ***Recommendation 06-38:***

*It is incumbent upon members of the WUSD Board to recuse themselves from discussions and voting when a topic that presents a conflict of interest arises. Each member of the Board must be scrupulous about self-examination in such matters. It is also the responsibility of any Board member who may be aware of a conflict or potential conflict of interest of another member who has failed to recuse him/herself to address that issue with said member.*

#### **Board of Education Response:**

‘The Board agrees with the recommendation. After two new Board members are elected in November, 2006, and become installed in December, 2006 we will have a Board study session to review what constitutes a conflict of interest or potential conflict of interest, what specific criteria must be verified to substantiate a conflict of interest or potential conflict of interest, and what processes and/or procedures can or should be enhanced to guard against and prevent conflicts of interest.

**Recommendation 06-39:**

*The WUSD Superintendent shall be aware of the BOC by-laws and ensure no contracts are drafted to benefit BOC members, their families, or their holdings.*

**WUSD Superintendent of Schools Response:**

The Superintendent has studied the BOC by-laws and is committed to running the district legally and ethically.

**Recommendations 06-40, 06-41, 06-42:**

**Recommendation 06-40:**

*The Mayor and WUSD Board Members should discontinue utilizing city and district functions to promote the agendas of their employers.*

**Recommendation 06-41:**

*The Yolo County Superintendent of Schools, or his designee, should attend all closed sessions of the WUSD for one calendar year to police members from violating the Brown Act.*

**Recommendation 06-42:**

*The WUSD Superintendent should ensure every effort is made to obtain the Bridgeway matching funds.*

**WUSD Superintendent of Schools Response:**

The District is in the process of appealing to the Office of Public School Construction and the State Allocation Board.

**Recommendation 06-43:**

*The Assistant Superintendent for Business Services should more closely monitor purchasing and ordering procedures to avoid the appearance of, or actual inappropriate actions on the part of district employees.*

**WUSD Assistant Superintendent for Business Services Response:**

The Assistant Superintendent for Business Services has many duties but every Purchase Order Requisition is reviewed in the Business Office and will continue to be reviewed in the future.

**Recommendation 06-44:**

*The Assistant Superintendent for Business Services must supervise the purchasing and ordering procedures so that contracts are not assigned because of favors or friendship extended to the parties responsible for vendor selection.*

**WUSD Assistant Superintendent for Business Services Response:**

We do not and will not purchase or order materials or services based on favors or friendships extended to employees of the district. The new administration is committed to ensuring that district contracts or purchase orders are approved or recommended to the Board based on a vendor's or consultant's competitive price, established reputation, ability to fulfill the district's needs and on Ed Code regulations related to the bid process where appropriate.

**Recommendation 06-45:**

*The WUSD Superintendent and Yolo County Superintendent of Schools should form a partnership to bring Yolo County training resources to district staff.*

**WUSD Superintendent of Schools Response:**

The WUSD administration is happy to continue to work collaboratively with Yolo County Office of Education staff to plan staff development training in areas where the county has a proven level of expertise and the district has a need. Like any district in Yolo County or elsewhere, the district reserves the right to utilize other agencies or consultants who are experts in their field and have proven track records of success.

**Recommendation 06-46:**

*The Assistant Superintendent for Business Services should ensure that ASB funds are appropriately utilized and monitored. A system for making approved purchases on an emergency basis, such as a WUSD-issued credit card, should be provided to staff that must repeatedly make such purchases. District policy should discourage the use of personal credit cards.*

**WUSD Assistant Superintendent for Business Services Response:**

The ASB is run by staff and students at the school site and it is their responsibility to follow the rules, regulations and procedures provided in law and district policy. The Business Office staff provides training, support, and oversight. Site level personnel will be held accountable for following the rules, regulations and policies.

The district does have policies and procedures for making purchases. Staff is strongly encouraged to use the procedures and follow the process for making purchases and not use personal credit cards. The principal at River City High School does have a WUSD credit card for emergency purchases.

**Recommendation 06-47:**

*The WUSD Superintendent should develop a policy of telecommuting for employees of the district. If such a policy exists, the Superintendent should educate employees about the pertinent guidelines.*

**WUSD Superintendent of Schools Response:**

The Superintendent will draft a policy for Board of Education approval during the fall of 2006, and will implement said policy forthwith.

**Recommendation 06-48:**

*The WUSD Board should expeditiously close the significant gap in high school funding to meet federal grant mandates, to allow construction to begin for timely student occupancy and to win community support and trust.*

**Board of Education Response:**

The funding gap has been reduced by a combination of reducing the number of buildings to be built, value engineering, competitive bidding and adoption of a finance plan. Bids have been accepted and construction should begin in the near future with student occupancy planned for August 2008. The Board does not know what "federal grant mandates" the Grand Jury referred to in Recommendation 06-48.

**Recommendation 06-49:**

*The WUSD Board, Superintendent and High School Administrators must increase their efforts to educate the community and staff about the SLC concept in order to build enthusiasm for conversion to that program.*

**WUSD Superintendent of Schools Response:**

It is a district goal that every student graduate from our P-12 system with the knowledge and skills necessary to be successful beyond high school. What needs to be clearly articulated is that SLCs are not a silver bullet that guarantees student success. Research on SLCs is inconclusive in that it demonstrates that students in SLCs feel better connected to their school. However, this feeling of connectedness has not necessarily translated into more students mastering English Language Arts and math standards.

Our focus needs to be how to meld what works in a collaborative departmental high school model with the SLC model. A collaborative departmental model is powerful when teams of teachers within a subject area reach agreements around what every student needs to learn, how they will assess student mastery of the agreed upon learning targets, and where the teachers work collaboratively to create support structures for students who do not learn something the first time around. The department model allows teachers to share best practice within a specific subject. The power of the SLC model is that an interdisciplinary group of teachers supports an identified group of students. This allows the teachers to identify an individual student's areas of strength and to build off of these strengths in the various curricular areas. It also allows teachers to identify natural areas where their curriculum intersects, in order to help students draw connections between subject areas.

**Recommendation 06-50:**

The WUSD Board of Education should ensure that any eminent domain actions taken are absolutely necessary.

**Board of Education Response:**

The district worked collaboratively with the City in determining the appropriate location for the high school entrance. Only the two parcels at the entrance are being considered for eminent domain.

**Recommendation 06-51:**

*It is imperative that the WUSD Board of Education promptly does the following:*

- *Secure strong leadership*
- *Develop a written statement of process and procedures to be followed by each Board member at all times. Process must be congruent with procedure.*
- *Develop a strategic plan for the district.*
- *Discontinue the habit of micromanaging the district's affairs.*
- *Conduct its business in as transparent a manner as possible.*

**Board of Education Response:**

The Board believes they are taking proactive measures to move the district forward in a positive manner. New leadership is in place for the Superintendent, Assistant Superintendent of Educational Services, and Assistant Superintendent of Human Resources positions. The search for new Assistant Superintendent of Business Services will be completed by mid-October, 2006. Since the new Superintendent has been hired he has worked closely and collaboratively with the school Board, and has not felt micromanaged. The Superintendent intends to utilize a collaborative process to develop a district strategic plan.

**WILLOW OAK FIRE DISTRICT**

**Recommendation 06-54:**

*Although the Grand Jury found no evidence of wrongdoing, it recommends that District administrators codify all payment arrangements in regard to volunteer staff.*

**Response of the Chairman of the Willow Oak Fire Protection District Commission:**

Willow Oak Fire Protection District will assign program codes for all monies received from the State of California for Strike Teams and paid to the Volunteers.