

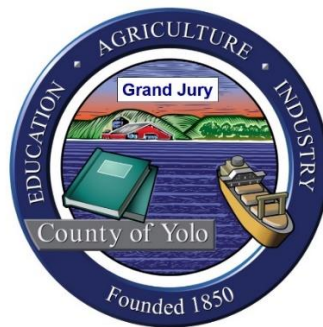
# YOLO COUNTY CIVIL GRAND JURY

## FINAL CONSOLIDATED REPORT

### JUNE 2024

A Report for the Residents of Yolo County, CA

June 20, 2024





Capay Valley

City of Davis

Dunnigan



Esparto

Knights Landing

Madison



City of West Sacramento

City of Winters

City of Woodland

Photos Courtesy of Jurors

## YOLO COUNTY CIVIL GRAND JURY 2023-2024

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June 20, 2024

Honorable Timothy Fall  
Judge, Superior Court of California  
In and For the County of Yolo  
1000 Main Street  
Woodland, CA 95695

Dear Judge Fall:

The 2023-2024 Yolo County Civil Grand Jury is honored to present the Final Comprehensive Report to you and the residents of Yolo County.

The Grand Jury received and reviewed eight complaints. The complaints were either submitted by citizens and/or by Grand Jury members, and one complaint was forwarded from last year's Grand Jury. Of those seven were investigated by the Investigative Committees of the Grand Jury. Three of the complaints we received late will be forwarded to the incoming 2024-2025 Grand Jury so the complaint receives adequate review and investigation if next year's jury decides to proceed. Of the complaints reviewed by the Committees, six were determined to be fully investigated and are part of this report. The Grand Jury also investigated the Yolo County Monroe Detention Facility as stipulated by the California Penal Code Section 919(b).

The 2023-2024 Yolo County Grand Jury consists of a diverse group of volunteers from throughout Yolo County. This report represents the commitment and hard work of the jurors who were dedicated to investigating and helping to improve the Yolo County community.

It was a privilege and honor to be part of this year's Civil Grand Jury and to watch the jurors fulfill their commitment to this year's term. Most worked selfless hours to apply their various skills in accomplishing this report.

The Grand Jury also thanks all the Yolo County employees, officials, and those in Jury Services for providing us with support and guidance throughout the term.

*Carol Case*

Carol Case  
Foreperson  
Yolo County Civil Grand Jury 2023-2024

**RESOLUTION**

**The Yolo County Civil Grand Jury 2023-2024**

**Approves by Resolution the Consolidated Report**

**WHEREAS**, the 18 members of the 2023-2024 Yolo County Civil Grand Jury (Grand Jury) conducted investigations and prepared investigative reports, all of which are included in its 2023-2024 Consolidated Final Report; and

**WHEREAS**, as is customary, the Grand Jury’s specialized committees were each given primary responsibility for determining the investigation strategy, conducting interviews, gathering evidence, and producing reports; and

**WHEREAS**, two members of the Grand Jury, recused themselves from all aspects of two investigations and related work by the Grand Jury, including review and the approval of final investigation reports; and

**WHEREAS**, the purpose of this Resolution is to facilitate approval of the Consolidated Report by the Grand Jury while also preserving the recusal of two members on the two reports, as referenced above; and

**NOW, THEREFORE, BE IT RESOLVED** as follows:

1. The Grand Jury finds the foregoing recitals are true and correct.
2. By adoption of this Resolution, the Grand Jury hereby approves the Final Consolidated Report for the 2023-2024 term, with the member count as shown below. In voting to approve this Resolution, two Grand Jury members who previously recused themselves from participating in the Grand Jury’s efforts on the reports “Yolo County General Plan” and “West Sacramento Port Commission” maintained their recusals as to those matters but is deemed to have approved all other reports included in this term’s Consolidated Report.

PASSED AND ADOPTED by the Grand Jury this 20th day of June 2024, as follows:

AYES:           Seventeen Jurors  
NOES:           None  
ABSTAIN:       None  
ABSENT:        One Juror

*Signed,*  
***Carol Case***  
Carol Case, Foreperson

## YOLO COUNTY 2023-2024 CIVIL GRAND JURY ROSTER

Carol Case, Foreperson  
Woodland

Daniel Gumpy, Pro-Tem  
Davis

Robert Kays, Pro-Tem  
Winters

Alan Bennett  
Davis

Catherine Miller  
Davis

Kenneth Clay  
Davis

Barbara Mills  
Woodland

Jennifer Engstrom  
West Sacramento

Anthony Richardson  
Woodland

George Granada  
West Sacramento

Michael Seica  
West Sacramento

Mark Havstad  
Esparto

Mohamed Sidahmed  
Davis

Sharon Holgerson  
Woodland

Peter Solomon  
West Sacramento

Patti Lamb  
West Sacramento

Jeffrey Staniels  
Davis

Richard Warg  
Woodland

## INTRODUCTION

### ABOUT THE CIVIL GRAND JURY

The California Constitution requires that each county appoint a civil grand jury to guard the public interest by monitoring local government. Per California Code Section (§) 888, the Yolo County Superior Court appoints 19 grand jurors each year (July - June) from a pool of volunteers. Yolo County citizens, with diverse and varied backgrounds, serve their communities as civil grand jurors. The Yolo County Civil Grand Jury is an official, independent body of the court, not answerable to administrators or the Yolo County Board of Supervisors.

### PURPOSE

There are two types of grand juries in California.

1. A criminal grand jury weighs criminal charges then determines whether indictments should be returned (Penal Code §917)
2. A civil grand jury acts as the public's watchdog by:
  - Investigating and reporting on the affairs of local government (Penal Code §919-§925, et seq)
  - Weigh allegations of misconduct against public officials (Penal Code §919, §922)
  - Determine whether to present formal accusations requesting removal of public officials from office (Penal Code §992)

The purpose of any civil grand jury investigation is to identify organizational strengths and weaknesses and to make recommendations aimed at improving the services of the county and city governments, school districts and special districts. The civil grand jury then publishes its findings and may recommend constructive action to improve the quality and effectiveness of local government.

Recommendations from a civil grand jury are not binding on the public agency being investigated. However, the governing body of any entity must respond to the civil grand jury findings and recommendations within 90 days of report issuance, and an elected official or agency head must respond to the civil grand jury findings and recommendations within 60 days. The next year's civil grand jury may then evaluate and report on the required responses.

All reports included in this document have been approved by a super majority vote of at least 12 jurors. Any juror who has an actual or reasonably perceived conflict of interest in an investigation is recused from discussion and voting regarding the subject matter. All reports are reviewed by civil grand jury advisors to ensure compliance with current laws.



## **HOW TO BECOME A CIVIL GRAND JUROR**

Each spring, the Yolo County Superior Court solicits applicants for the next term. Anyone interested in becoming a civil grand juror should apply to the court. Requirements and application forms are available at the Yolo County Courthouse (Jury Services) at 1000 Main Street, Woodland, CA 95695, phone number (530) 406-6828, or on the county's website at [www.yolocounty.org/grand-jury](http://www.yolocounty.org/grand-jury).

## **HOW TO SUBMIT A COMPLAINT TO THE CIVIL GRAND JURY**

Complaints must be submitted in writing and should include all required supporting documentation. Complaint forms are available at [www.yolocounty.org/grand-jury](http://www.yolocounty.org/grand-jury), or may be requested by calling the Grand Jury at (530) 666-5088.

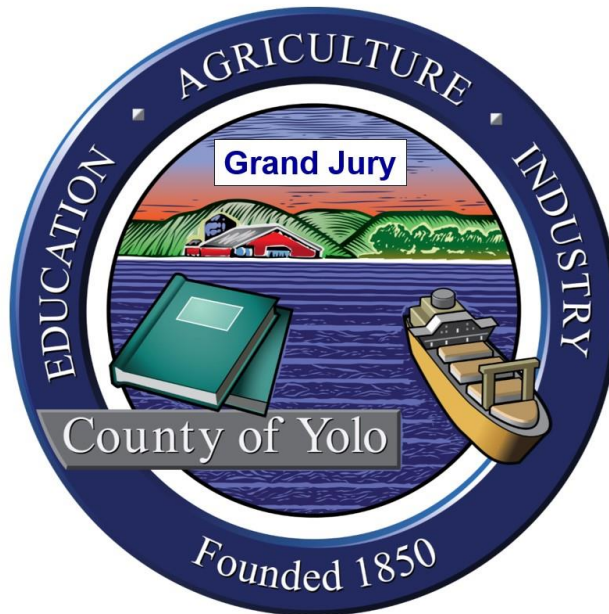
The completed form can be mailed with supporting documentation to 120 W. Main Street, Suite A, Woodland, CA 95695, by submitting online via the website, or emailing directly to [grandjury@yolocounty.org](mailto:grandjury@yolocounty.org). Any complaints received late in the term, when the civil grand jury's investigative work is concluding, may be referred to the next term's civil grand jury.

# Yolo County Civil Grand Jury 2023-2024

## Final Consolidated Report

The 2023-2024 Yolo County Civil Grand Jury is honored to present the Final Consolidated Report to the residents of Yolo County. This final report consists of six reports based on Grand Jury investigations. Investigations may be undertaken based on outside citizen complaints, by Grand Jury members, or by follow-up of a prior grand jury report. As required by Penal Code §919(b) the Civil Grand Jury inspected the Yolo County’s detention facilities, and this report is included in the Final Consolidated Report.

Copies of the Report, consisting of each year’s individual reports on public agencies and responses to the prior year’s report, are available in hard copy at the courthouse, in all county libraries, and on-line on the Grand Jury’s website at [www.yolocounty.org/grand-jury](http://www.yolocounty.org/grand-jury).



**YOLO COUNTY CIVIL GRAND JURY**  
**YOLO COUNTY ANIMAL SERVICES**  
***MOVING FORWARD***



*-Photo by Juror-*

*“Continuous improvement is better than delayed perfection”  
– Mark Twain*

**SUMMARY**

The Yolo County Civil Grand Jury (Grand Jury) completed an investigation of organizational and operational changes at the Yolo County Animal Services (Animal Services). The Grand Jury addressed the long-term difficulties at the shelter caused by underfunding, aging facilities, chain of command complexity, and the small size of the facility compared to the size of the community it serves.

The Grand Jury finds that some of the five major organizational and operational changes are strongly endorsed by the community and show good progress (explained further in the Discussion Section of this report). Overall, Animal Services avowed “piecemeal approach” to addressing the shelter’s shortcomings is clearly a practical effort in the short term with good community support.

**BACKGROUND**

Animal Services at 140 Tony Diaz Drive in Woodland primarily consists of a 4,800 square foot main building built in 1970, a 3,000 square foot dog kennel area built in 1974 and a 2,900 square foot cat annex built in 2003 [1]. A trailer outfitted for small animal surgery provided by the University of Florida, procured, and retrofitted by University of California, Davis (UCD)

Veterinary Shelter Medicine personnel, is also now functional at the Tony Diaz Drive site. The original 1970s era buildings were concrete block on slab construction with now dated heating, ventilation, and air conditioning (HVAC) capability and, thus, less than ideal air circulation. While the cat housing has been revised to two-sided kennels to facilitate cleaning, reduce stress, and add more space, the dog kennels are not two-sided, and the porous flooring is particularly inadequate from a disease control standpoint. Windows, HVAC, flooring, and drainage at these four components have evolved in a patchwork fashion to improve conditions for animals and staff, as funding and other conditions have allowed. Veterinary standards, however, and the knowledge base <sup>[2][3][4]</sup> surrounding shelter design, construction, sanitation, and animal health have evolved considerably since the 1970s, such that both the hardworking Animal Services staff and the wider Yolo County community agree that changes are overdue and required to move toward greater conformity with today's accepted industry standards.

Toward the end of conforming to modern standards of animal care shelters, multiple groups in the county would like to have a fully modern new facility in Yolo County. However, for now, most or all groups envision what is termed a "piecemeal approach" where various, much smaller, efforts are embraced, funded, and fielded so that actual conditions and populations are incrementally improved.

The Grand Jury was unable to verify the existence of a regular process for inspecting the shelter facility and operations. An inspection would assist Animal Services to improve efficiency and understand where improvements are needed. There are consultants and other possible government entities that are able to provide guidance. An updated guideline for care in animal shelter can be found at the following resource:

<https://ismcah.org/index.php/jasv/issue/view/2>

## **APPROACH**

The Grand Jury's approach to investigate Animal Services was comprised of:

1. Reading a range of publicly available documents such as a Local Agency Formation Commission (LAFCO) funded report on Animal Services [1], the 2014-2015 Grand Jury report on Animal Services [5] and other reports on other shelters around the country
2. Watching live and recorded video of Yolo County Board of Supervisors (BOS) and Yolo Animal Services Planning Agency, a Joint Powers Authority (JPA) meetings
3. Touring Animal Services at 140 Tony Diaz Drive, Woodland, California
4. Conducting a series of exploratory interviews with Yolo County community stakeholders with the history and experience in the field and at the shelter site

5. Conducting a series of corroborating and depth enhancing interviews with additional experts and interested parties in the community
6. Requesting further documents from key personnel

**DISCUSSION**

Despite its age, the August 2012 report “Yolo County Animal Services Study” [1] commissioned by LAFCO provides an excellent background on the conditions and difficulties at Animal Services up until a series of recently posed or implemented changes began to change the organization and operations.

At least five items make up this reconfiguration:

1. A Joint Powers Authority (JPA) entity, termed the “Yolo Animal Services Planning Agency,” was formed four years ago
2. In October 2022, shelter operations moved from the Yolo County Sheriff’s (Sheriff) department to the county administrator’s (CAO) office and in February 2024, the CAO delegated shelter operations to the Department of Community Services
3. Nearby unused space formerly belonging to the Probation Administration was added to Animal Services
4. The development of a new annex space just south of the Probation Ancillary building was proposed
5. The Board of Supervisors declined to renew the services contract with UCD Veterinary Medicine

This report focuses on the changes, the clear advantages and uncertainties. Normally a report on Animal Services would focus on animal shelter data: dog, cat and other animal processing, outcomes, and community service. We expect the five pending changes noted above will determine a new baseline level of service from Animal Services.

**Yolo Animal Services Planning Agency (JPA)**

The JPA formation focusing on animal services was strongly advocated in the 2012 report cited earlier. For many reasons, not least of which is the bringing of West Sacramento fully to the situation, this is a great step forward. All interviewees by the Grand Jury supported this development. JPA board members as of February 2024, voting and not voting, are given in the table below. Each entity listed below has one vote and contributes to Animal Services’ budget.

<b>Member Name</b>	<b>Organization</b>	<b>Voting or Not Voting</b>
Josh Chapman	City of Davis	Yes
Bill Biasi	City of Winters	Yes
Jesse Loren	City of Winters	No

<b>Member Name</b>	<b>Organization</b>	<b>Voting or Not Voting</b>
Mayra Vega	City of Woodland	Yes
Rich Lansburgh	City of Woodland	No
Martha Guerrero	City of West Sacramento	Yes
Verna Sulpizio Hull	City of West Sacramento	No
Mary Vixie Sandy	County of Yolo County	Yes
Jim Provenza	County of Yolo County	No

**Delegation of Shelter Operations to the Department of Community Services**

The second item in the list of five changes to the structure of Animal Services is the reassignment to Community Services. Some stakeholders argue strongly that animal control is a community service, is rarely a law enforcement issue, and the Sheriff’s office often has more urgent priorities. Others note that the Sheriff’s office has long maintained control of several aspects of the Animal Services operation, including training certification and weapons control. A quick review shows a range of actual administrative “homes” for animal services in neighboring counties.

<b>County</b>	<b>Animal Services Overseen by County Administration</b>
Sacramento	Community Services
Solano	Sheriff
Sonoma	Health Services
Napa	Sheriff
Colusa	Sheriff
Placer	Environmental Health
Yuba	Sheriff
Mendocino	Community Services
Lake	Animal Care and Control
San Joaquin	Sheriff

The move to the Department of Community Services may or may not have a positive effect on funding for the traditionally underfunded Animal Services. The requested cash flow from the

Yolo County’s General Fund by Animal Services has steadily increased year by year from 2011 to 2024 from \$100K to \$700K. While funding has consistently increased, the Grand Jury believes the budget will need to be increased at a higher percentage annually to better correspond with the increase in residents over the last decade.

For reference, in 1971 the population of Yolo County was 95,000 residents. There has been a steady increase in population to the present day. In 1980, Yolo County had 114,000 residents, in 2011 it had 202,000 and in 2022 there were 222,000 residents. Thus, Yolo County now has 2.3 times the number of residents than in the era where Animal Services had its original design and build.

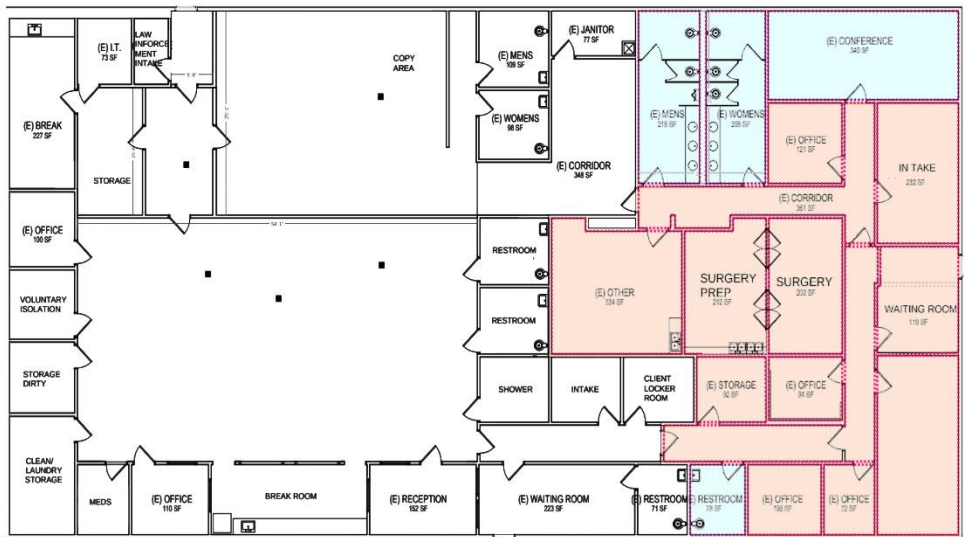
There are multiple paths to fixing the long-term trend of under resourcing animal services. The top five are:

1. Increasing revenue
2. Decreasing expenditures
3. Increasing the annual cash from Yolo County’s General Fund
4. Increasing the efficiency of operations
5. Accrediting public donations directly to Animal Services if the donor so specifies, rather than to the county general fund

#### **Animal Services Acquisition of Unused Probation Administration Space**

At the February 27, 2024, BOS meeting [6] an agenda item was passed for converting the offered floor space (~2,800 Sq. Ft.) at the Probation Ancillary building near the current shelter. It was strongly supported by stakeholders at our interviews and at public meetings. All five public comments on these recent changes were strongly positive as were all 11 written comments received prior to the BOS meeting. This new space (shown in the graphic below) will be revised to accommodate in-house spay/neuter surgeries. Stray cat trap-neuter-return and low cost spay neuter for the public are envisioned. Moving activities to this area also allows portions of the original shelter to be reconfigured for the greater health and comfort of both animals and staff.

Completion and staffing of this space address the acknowledged need for expanded spay and neuter capability at the Animal Services.



*Proposed New Space Utilizing the Former Probation Ancillary Building*

**Proposed New Annex Space South of the Probation Ancillary building**

Yolo County personnel have proposed adding a new facility just south of the Probation Ancillary building discussed above. The location, the rough sizing of this concept and the details of who to partner with and how, are now topics of discussion with UCD Veterinary School, a prime target partner.

Advantages of the piecemeal approach to the shelter improvement can be further appreciated by a short discussion of local efforts to build an entirely new shelter. The piecemeal approach was the best the Animal Services could do with limited funding.

1. Consider a fully new shelter designed by Indigo Architects for Animal Services in 2016[5]. Cost estimates were in the \$20M to \$30M range. Modern humane features notable in this design are better use of natural lighting, provision for efficient cleaning, fully effective ventilation, and climate control.
2. A less expensive new shelter was also designed, and subsequently built, for the City of Tracy by Indigo Architects [7]. This design was to be implemented in two steps ultimately reaching 12,000 square feet. The first portion is 5,638 square feet cost \$5.2M and opened in 2015. The design minimizes acoustic and visual stress for the animals and staff and facilitates ease of kennel maintenance and daylighting.

**Termination of a Service Contract with UCD School of Veterinary Medicine (UCD)**

The Grand Jury sought to understand the termination of many years of a repeating contractual agreement with UCD. The termination was described by interviewees as abrupt. In prior years, UCD sometimes had worked past the actual contract expiration date while a new contract was finalized. It was also discovered that UCD Shelter Medicine had reached out to Animal Services leadership regarding contract renewal via email multiple times with no response. Animal



Services and BOS' decision to not renew has meant that Animal Services had no onsite surgical capability from July 31, 2023, through at least April 2024. This created a significant decline in services to the community and a logistical burden on staff and volunteers. Shuttling animals to other facilities resulted in added stress to the animals.

### **Morale at the Animal Services**

The Grand Jury heard from four interviewees describing friction, toxic work conditions, poor workplace behavior, chain of command problems and poor communication issues within Animal Services and also between Animal Services and both UCD personnel and Yolo County SPCA.

## **FINDINGS**

The Grand Jury makes the following findings:

- F-1 Funding for Animal Services has not kept pace with Yolo County population growth and the attending increase in requests for services.
- F-2 The decision to build additional veterinary space in the southeastern portion of the Probation Ancillary building near the existing shelter is acknowledged as a positive step in the piecemeal approach to incremental improvement of services.
- F-3 The Grand Jury's email and in-person requests for documents addressed to leadership at the Yolo County Animal Services received no reply or greatly delayed responses for the requested material. The Grand Jury finds there are shortcomings of the leadership and management skills at the shelter.
- F-4 Relations with both internal and external partners at the shelter became contentious resulting in ineffective and diminished delivery of services.
- F-5 Each department within Yolo County Animal Services (kennel/field/medical services) has a supervisor, except for the front office. This may lead to fragmentation of services and inefficiencies throughout Yolo County Animal Services.
- F-6 With the change in oversight from the Yolo County Sheriff to the Department of Community Services, the Grand Jury could not determine how weapons are stored when not in use by the Field Officers.
- F-7 The Grand Jury could not determine how firearm certification or any other specialized certification needed to qualify as a Field Officer is achieved in light of the transition from the Yolo County Sheriff's Department.
- F-8 The Grand Jury could not identify any formal facility inspection process.

## **RECOMMENDATIONS**

The Grand Jury recommends the following:

- R-1 The Yolo County Board of Supervisors should increase funding for Yolo County Animal Services to keep pace with Yolo County population growth and the attending increase in requests for services.
- R-2 The Yolo County Animal Services should continue development of additional veterinary space in the former Probation Ancillary building.
- R-3 The Department of Community Services should provide for a management/leadership consultant to improve leadership skills at the Yolo County Animal Services.
- R-4 The Department of Community Services should consider reviewing and modifying the Yolo County Animal Services leadership job descriptions to address the shortfall in communications.
- R-5 The Department of Community Services should request that the Yolo County Board of Supervisors authorize a change in the Animal Services organization structure to appoint a director of operations who would supervise the front office staff or appoint a front office staff supervisor. This position would report directly to the Director of Animal Services.
- R-6 The Department of Community Services should establish a policy by September 1, 2024, for how weapons are secured after hours.
- R-7 The Department of Community Services should establish by September 1, 2024, a policy defining how Field Officers will achieve firearm and any other certification to qualify as a Field Officer.
- R-8 The Yolo County Board of Supervisors should hire a consultant for an evaluation of the facility and workflow optimization and how it can be improved.

## **COMMENDATION**

The many local partner organizations and volunteers who support the Yolo County Animal Services should be commended for their hard work and dedication to improve the current situation at the shelter.

The formation of the Yolo Animal Services Planning Agency, a Joint Powers Authority, is broadly acknowledged as successful.

## **REQUIRED RESPONSES**

Pursuant to Penal Code section(s) 933 and 933.05, the Grand Jury requests responses to its Findings and Recommendations within 90 days as follows:

- Yolo County Board of Supervisors

F-1, F-2, F-3, F-4, F-5, F-6, F-7, and F-8; and R-1, R-2, R-3, R-4, R-5, R6, R-7 and R-8

## INVITED RESPONSES

The Grand Jury also invites responses from the following individuals within 90 days:

- Director of Yolo County Animal Services  
F-1, F-2, F-3, F-4, F-5, F-6, F-7, and F-8; and R-1, R-2, R-3, R-4, R-5, R6, R-7 and R-8
- Director of Yolo County Department of Community Services  
F-1, F-2, F-3, F-4, F-5, F-6, F-7, and F-8; and R-1, R-2, R-3, R-4, R-5, R6, R-7 and R-8
- Yolo County Administrative Officer  
F-1, F-2, F-3, F-4, F-5, F-6, F-7, and F-8; and R-1, R-2, R-3, R-4, R-5, R6, R-7 and R-8

## ACRONYMS/GLOSSARY OF TERMS

BOS: Yolo County Board of Supervisors

CAO: Yolo County Administrator Officer

DCS: Department of Community Services

Grand Jury: Yolo County Civil Grand Jury

HVAC: Heating, Ventilation, and Air Conditioning

JPA: A Joint Powers Authority is a **stand-alone organization formed by governmental entities for a specific purpose or project.**

LAFCO: A Local Agency Formation Commission is a public agency with county-wide jurisdiction established by State Law (the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000). The intent of the Act is to discourage urban sprawl and to encourage orderly and efficient provision of services, such as water, sewer, and fire protection. LAFCO oversees changes to local government boundaries involving the formation and expansion of cities and special districts.

SPCA: The Yolo County Society for the Prevention of Cruelty to Animals was founded in 1974 by a group of dedicated people committed to improving the lives of animals in our community.

UCD: University of California, Davis, School of Veterinary Medicine

## ENDNOTES

- [1] Yolo County Animal Services Study; Murrell, Tammie and Marks-Gibbs, sue, 2012, 83 pp

- [2] Guidelines for Standards of Care in Animal Shelters, the Association of Shelter Veterinarians, 2010, 65 pp
- [3] Guidelines for Standards of Care in Animal Shelters, Association of Shelter Veterinarians (2010 – <https://oacu.od.nih.gov/disaster/ShelterGuide.pdf>)
- [4] Animal Control Management: A Guide for Local Governments, Geoffrey I. Hardy, Humane Society of the United States for International City/County Management Association (2001)
- [5] <https://www.indigoarch.com/yolo-county-animal-shelter23>
- [6] [https://destinyhosted.com/agenda\\_publish.cfm?id=96561&mt=bos&vl=true&get\\_month=2&get\\_year=2024&dsp=agm&seq=14397&rev=0&ag=3702&ln=126456&nseq=14405&nrev=0&pseq=13995&prev=0&vl=true#ReturnTo126456](https://destinyhosted.com/agenda_publish.cfm?id=96561&mt=bos&vl=true&get_month=2&get_year=2024&dsp=agm&seq=14397&rev=0&ag=3702&ln=126456&nseq=14405&nrev=0&pseq=13995&prev=0&vl=true#ReturnTo126456)
- [7] <https://www.indigoarch.com/tracy-animal-shelter>

<p>Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.</p>
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**YOLO COUNTY CIVIL GRAND JURY**

**YOLO COUNTY DETENTION FACILITIES**

***A STANDARD OF EXCELLENCE***



*-Stock Photo-*

*“Jails and prisons are the complement of schools; so many less  
as you have of the latter, so many more must you have of the former”*

*-Horace Mann*

**SUMMARY**

The 2023-24 Yolo County Civil Grand Jury (Grand Jury) inspected the Yolo County Monroe Detention Facility (MDF) on December 20, 2023. This facility houses adult males and females. At the same time, the Grand Jury also inspected the newly completed Walter J. Leinberger Detention Center (LDC). Due to staffing shortages, the LDC is currently vacant with no timeline as to when it will house incarcerated persons. When staffing levels improve, the LDC will house low-risk adult incarcerated persons serving out their sentences, with an emphasis on providing program and medical needs. On January 25, 2024, the Grand Jury toured the Yolo County Juvenile Detention Facility (JDF). These facilities are all located within the City of Woodland. The Grand Jury found the facilities in use to be clean and sufficiently staffed.

**BACKGROUND**

California Penal Code section 919(b) provides “The grand jury shall inquire into the condition and management of the public prisons within the county.” To fulfill this statutory obligation, the Grand Jury visited the MDF. The Grand Jury also toured the JDF housing eight juveniles at the time of the Grand Jury’s visit. The MDF is managed by the Yolo County Sheriff’s Office (YCSO), while the Yolo County Probation Department oversees the youth at the JDF.

## APPROACH

Before the MDF tour, the Grand Jury watched a training video developed by the Board of State and Community Corrections (BSCC) to learn about visitor requirements and expectations. The Grand Jury also used questions developed by the BSCC related to all areas and activities within a facility to encourage a better understanding of the facility and its operations. Grand Jurors added items to be observed or questions to ask, as desired.

The Grand Jury met with the facility’s Correctional Command Team at the beginning of the MDF tour. The focus was on the facilities themselves and jail operations regarding incarcerated person medical treatment, mental health, nutrition, visitation procedures, how grievances are managed, and pre-release programs.

The Grand Jury also toured several areas within the MDF, including incarcerated person intake booking and release, the healthcare wing, incarcerated person housing pods, recreation yard, main kitchen, laundry, central control, staff offices/training rooms, classrooms, and incarcerated person visiting areas. The Grand Jury did not formally interview anyone but did speak to several correctional officers, supervisors and incarcerated persons during the tour. Before the tour, the Grand Jury was provided with a copy of the *Inmate Rules Handbook*.

The Grand Jury reviewed reports from earlier grand juries dating as far back as 2017-18. These reports, mentioned in the 2022-23 Grand Jury report, had recommended improvements to visitation and the grievance system at the facility. The Grand Jury interviewed knowledgeable persons about the programs available to those incarcerated at MDF. This included following up on recommendations made by previous Yolo County Grand Juries. Jail policies and procedures and the BSCC’s inspection report on the MDF dated September 11, 2022, were reviewed. The BSCC report showed that the YCSO and its detention facilities were compliant with California law and regulations.

The Grand Jury also reviewed:

1. A report by the 2017-18 Grand Jury titled “Inmate Visitation Policy at the Monroe Detention Facility”
2. A report by the 2021-22 Grand Jury titled “Cancelled: Visitation Policies at the Monroe Detention Facility”
3. A report by the 2021-22 Grand Jury titled “A Snapshot in Time: An Overview of the Yolo County Jail”
4. Recommendations from the 2017-18 Grand Jury which focused on implementing a “more convenient and more family-friendly [visitation] schedule” and an online system for making visitation appointments
5. Recommendations from the 2021-22 Grand Jury that the YCSO prioritize the hiring of a full-time program coordinator

## **DISCUSSION**

### **Detention Facility Tours**

The Monroe Detention Facility (MDF) was built in 1988 and upgraded subsequently with a new booking area and a new medical and mental health wing. The Grand Jury found the facility to be clean, well-lit and with a comfortable temperature overall. There were five program classrooms available to incarcerated persons for a variety of programs that are available to them (listed below under Programs). Tablets are now available to all incarcerated persons that are going to be housed in the facility. The tablets allow them to schedule and conduct virtual visits as well as to file grievances, order items from the commissary and even purchase approved movies and books to read or watch on the tablets. The previous Grand Jury found the grievance procedure was ineffective and the acquisition of the tablets has improved this process.

During short conversations, incarcerated persons praised the MDF, its staff, and the quality and quantity of the food. They felt that staff cared about them as individuals, in contrast with their incarceration experiences at other detention facilities. While touring the kitchen for the MDF, the Grand Jury toured a room that may eventually be used as a culinary school/classroom. Staffing levels currently do not allow for the classroom to be utilized.

Staffing levels on the correctional side of the YCSO has been an issue for several years. The command staff advised the Grand Jury that they are contracting with a company called “EPIC” to assist in recruitment for the correctional side of the YCSO. The YCSO previously used EPIC on the patrol side and was able to help fill the vacancies.

The Juvenile Detention Facility (JDF) has four pods of which only one is currently being used. This facility is managed by the Yolo County Probation Department. JDF was built in 2005 and designed to house 120 juvenile incarcerated persons. It currently houses eight juvenile incarcerated persons and is significantly underused. At one point it was thought the facility might close. Even with changing trends in the juvenile justice system, it does not appear that facility will close.

Grand Jurors spoke to several juvenile incarcerated persons who said they had no serious complaints about the facility or the staff. They felt the care and attention they received at this facility was of high quality. The JDF overall appears to be in good condition. All employees appeared dedicated to their jobs.

The Grand Jury was allowed to enter one unoccupied cell. The bed, toilet and sink area were visible from the cell door. The mattress, atop a raised concrete slab, was approximately three inches thick. The cell appeared to be clean and in good working order.

### **Programs**

Detention facilities such as the MDF, primarily offer two types of programs: those focused on providing assistance to incarcerated persons and those that can help them have a successful re-entry into the community.

The programs currently available to incarcerated persons are as follows:

1. Medication-Assisted Treatment (MAT) is the use of medication, in combination with counseling and behavioral therapy, to provide a “whole-patient” approach to the treatment of Opioid Use Disorder (OUD).
2. Substance Use Disorder (SUD) is a medical condition defined by the inability to control the use of a particular substance(s) despite the harmful consequences. Treatment is provided by contracted counseling professionals.
3. A multi-phase cognitive behavioral therapy treatment program offers evidence-based curricula to address criminal thinking and anti-social values. Program classes can continue post-release at the West Sacramento or Woodland locations of the Yolo Day Reporting Center (DRC).
4. A multi-phase cognitive-behavioral parenting program offers participants evidence-based, parent management skills training specifically created for incarcerated parents.
5. An in-custody High School Equivalency Test (HiSET) literacy program prepares participants for the state HiSET exam. The program provides instruction in both Spanish and English languages.
6. A pre-release Medi-Cal Application Program provides all adult eligible incarcerated persons with timely access to Medi-Cal services.
7. A Yolo County Reentry Resources Document is distributed to individuals when they are released from the detention facility. It covers available programs in Yolo County for reentry into the community, including county specific resources such as cell phones, clothing, crisis line, employment and training programs, housing, libraries, mental health, transportation information, food resources and information about replacing lost documents. This document is available in both English and Spanish.
8. A socialization program for incarcerated persons diagnosed by mental health professionals to have limitations affecting the safety and security of the facility. These services are provided by contracted medical providers.
9. An In-custody Re-entry Program establishes a coordinated community re-entry process, that assists people leaving incarceration by connecting them to needed physical and behavioral health services prior to release.

The above listed programs contribute to reductions in the rate of recidivism. The programs available to incarcerated persons vary with the time spent in-custody. In 2022, 86 percent of incarcerated persons in Yolo County detention facilities were in custody for less than 30 days: 40% for 0 days, 25% for 1-3 days, 11% for 4-10 days, and 10% for 11-30 days.

### **Software**

The 2022-23 Grand Jury report “Meeting their Obligations” noted that software can be both the savior and curse of modern detention facilities. The gold standard is to have two major software systems, the Jail Management System (JMS) and Records Management System (RMS), interact seamlessly. These two systems affect almost all aspects of detention operations so incarcerated persons can be booked, housed, and supported safely, depending on their security



status, and all actions taken can be recorded and archived appropriately. MDF staff stated that, to their knowledge, no county in California has yet achieved the goal of integrating the RMS and JMS systems.

In 2018, the YCSO recognized that the current JMS and RMS provider could not meet its long-term needs. Most software systems have short life spans, and the current system is outdated. The YCSO has been working on upgrading both systems since that time. One of the goals of the YCSO is to have a combined JMS and RMS system that can interact in real-time and also reduce paperwork. For example, when a patrol deputy makes an arrest, the information that is entered into the RMS system would automatically populate into the JMS system. This would shorten the amount of time the deputy needs to be off the street filling out paperwork.

The 2022-2023 Grand Jury anticipated that a new JMS and RMS system would be operational no later than December 2023. Due to numerous lengthy delays by the contractor, the YCSO cancelled the contract. The YCSO has recently hired a consultant (National Public Agency Group) to assist in acquiring a combined RMS and JMS system.

The Grand Jury also noted that one of the wish list items for the MDF was an RFID system. YCSO stated that an RFID system would be a great asset to the department and would include real-time movement/management of incarcerated persons. The 2022-2023 Grand Jury report included this in the findings and recommendations. The YCSO responded they were still researching the best system for the MDF.

### **Visitation and Grievances**

During the last several Grand Jury reports, it was noted that there was an issue with both visitation policies and grievance procedures. The YCSO responded this would be fixed with a new JMS and RMS system. As noted above, the YCSO is still working on these two systems. Fortunately, this had not interfered with the updating of the grievance and visitation policies and procedures. The company that was hired to run the commissary at the jail was able to work it into their system to add video visitation and an on-line grievance procedure. This resolves issues that were brought up by previous Grand Juries and noted in the 2022-2023 Grand Jury report.

## **FINDINGS**

The Grand Jury makes the following findings:

- F-1 The Correctional Division of the Yolo County Sheriff's Office is understaffed. Until staffing levels can be improved the Walter J. Leinberger Detention Center cannot be opened and operated.
- F-2 With adequate staffing, the culinary class proposed for the Monroe Detention Facility kitchen will be an excellent addition to other programs offered at the facility.
- F-3 A new vendor is needed to provide seamless and robust Record Management System/Jail Management System capabilities, resulting in paperwork reduction and an increase in staff and officer availability.

F-4 The Yolo County Sheriff’s Office continues to seek an online RFID system that would work best in their facility. This technology would significantly boost the Yolo County Sheriff’s Office’s ability to further meet the needs of incarcerated individuals while maintaining accountability.

## **RECOMMENDATIONS**

The Grand Jury makes the following recommendations:

- R-1 The Yolo County Sheriff’s Office should continue to strive to find new ways to hire new staff so that the Walter J. Leinberger Detention Center can be opened.
- R-2 The Yolo County Sheriff’s Office should continue to fill vacant positions to offer the culinary training as an added program to assist incarcerated persons to develop marketable skills that can be used upon release.
- R-3 The Yolo County Sheriff’s Office should continue to find a contractor to procure Record Management System/Jail Management System programs within the 2024-2025 budget year.
- R-4 The Yolo County Sheriff’s Office should continue the search for an RFID system that is compatible with the facilities and, if found, submit a request to the Yolo County Board of Supervisors by April 1, 2025, to invest in this technology.

## **REQUIRED RESPONSES**

Pursuant to Penal Code sections 933 and 933.05, the Grand Jury requests responses for the following Findings and Recommendations within 90 days:

- Yolo County Board of Supervisors F-1, F-2, F-3, F-4; and R-1, R-2, R-3, R-4
- Yolo County Sheriff F-1, F-2, F-3, F-4; and R-1, R-2, R-3, R-4

## **COMMENDATIONS**

The Grand Jury found that incarcerated persons appreciated the professionalism of staff and the excellence of the food provided by the MDF.

The Grand Jury commends the In-Custody Program Manager. All programs are now functioning, and the Program Manager continues to make improvements to the programs. This position creates opportunities to support incarcerated persons and helps them prepare for successful re-entry into the community.

The Grand Jury commends the classroom teacher for the dedication, instructional abilities, enthusiasm, and encouragement given to the students.

## ACRONYMS/GLOSSARY OF TERMS

- BSCC:** The Board of State and Community Corrections (BSCC) is a California agency that conducts biennial inspections of state, county, city, and court detention facilities. The BSCC also posts its biennial reports on its website.
- DRC:** A Day Reporting Center(DRC) is a non-residential, highly structured program that combines supervision, treatment, and re-entry services. It is designed for moderate to high-risk offenders, often with substance abuse or mental health issues. The program includes mandatory reporting, program participation, drug testing, community service, and other conditions as determined by the relevant authorities.
- JMS:** Lawinsider.com defines a Jail Management System (JMS) as “a software program utilized by a jail facility to store jail data and to track inmate information and status beginning at booking and until release.” More specifically, a JMS provides a single entry, comprehensive incarcerated person management system that makes real-time incarcerated person information available to any system user. Typically, this involves a software program utilized by a jail facility to store jail data and to track incarcerated person information and status from the time of booking through release.
- RFID:** Radio Frequency Identification (RFID) is a technology that uses radio waves to identify people or objects. It consists of two things: a tag and a receiver. The tag is a small chip that is attached to or implanted in an object. A nearby reader can use radio waves to read the RFID tag without any visual contact. The technology facilitates the wireless discovery and tracking of any object using high-frequency radio waves.
- RMS:** The Office of Justice Programs, U.S. Department of Justice, defines a Records Management System (RMS) as “an agency-wide system that provides for the storage, retrieval, retention, manipulation, archiving, and viewing of information, records, documents, or files pertaining to law enforcement operations.”

### Types of Facilities:

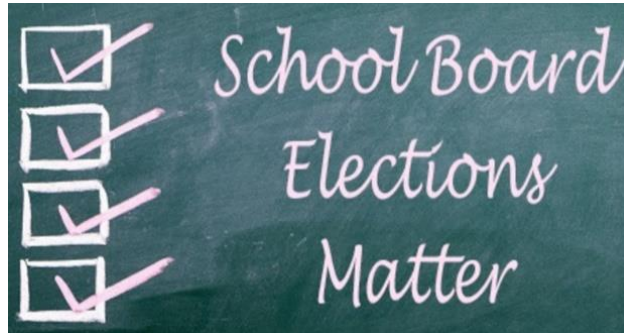
The Monroe Detention Facility (MDF) is a Type II medium/maximum detention facility rated to house adult incarcerated persons with all security classifications, depending on their perceived public safety risk. The BSCC classifies county facilities in its 2022 report as:

- Type I Facility: a local detention facility used for the detention of persons for not more than 96 hours, excluding holidays, after booking. May also be used for short-term sentences, depending on local policy.
- Type II Facility: a local detention facility used for the detention of persons pending arraignment, during trial, and upon a sentence of commitment.
- Type III Facility: a local detention facility used only for the detention of convicted and sentenced persons.

- Type IV Facility: a local detention facility or portion thereof designated for housing under Penal Code Section 1208 for work/education furlough or other programs involving access into the community.

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

**YOLO COUNTY CIVIL GRAND JURY**  
**ESPARTO UNIFIED SCHOOL DISTRICT**  
***SCHOOL BOARD ELECTION/SELECTION PROCESS***



-Stock Photo-

*“Running for local office is an incredible way to stand up  
and represent the needs of your community”*

- Emily Dexter

## **SUMMARY**

The California Education Code Sections 5326[1] and 5328[2] set requirements for the creation and governance of local school boards including selection of its members (“trustees”). Local Boards consist of five or seven members who, in some districts, may be elected at large and may reside anywhere in the district. In “trustee area” districts, candidates must reside in geographical sub-areas within the school district boundaries, and they are elected by the registered voters residing in that same sub-area. Trustees are elected to staggered four-year terms during even-year elections. Esparto Unified School District (EUSD) is governed by a five-member board elected by each trustee area, with three elected in one cycle and two elected in the next even-year cycle.

The Education Code addressing school board elections is long and complex. Determining which election variation applies to a particular place or procedure is a complicated process which requires a good deal of study and experience to master. The process applicable to the 2022 election of trustees for the EUSD is more fully addressed below in the Approach and Discussion sections of this report.

As a result of vacancies created by departures from the EUSD School Board, all five trustee positions were announced as open for election in the 2022 election cycle. Four positions had only one candidate, all of whom were subsequently seated on the Board, even though the election procedure that was followed did not place them on the ballot.

Following review and investigation as set out more fully below, the Yolo County Civil Grand Jury (Grand Jury) believes the 2022 election of EUSD Trustees was conducted in full compliance with the law and no impropriety tainted the selection of trustees.

## **BACKGROUND**

Elections are important and have been increasingly surrounded at all levels by claims of mismanagement or impropriety that either occurred, or went unnoticed, or might have been problematic in some way that went unnoticed. As a result, the Grand Jury is particularly interested in ensuring that election-related claims are not ignored. When a complaint was raised about a possible problem with the election process of local school board members in the EUSD, the Grand Jury investigated the claim.

The Grand Jury focused on the manner and results of the election of board members in the 2022 election cycle. Central to the issue raised was the fact that all five current local board trustees were seated as part of the 2022 election process, but only one seat appeared on the ballot.

## **APPROACH**

The Grand Jury began its investigation by reviewing Education Code Sections 5326 and 5328. Due to the breadth and detail of the sections covering elections, the Grand Jury interviewed an official from the Yolo County Election Office who has extensive knowledge of and responsibility for school board elections. The purpose was to obtain a clear and accurate understanding of the relevant legal requirements and of the procedures utilized in local school board elections, both as a general matter and in the circumstances surrounding the seating of trustees of the local EUSD Board in the 2022 election cycle.

The election official provided copies of relevant statutes and documentation including copies of the ballots used in the 2022 election. The official also provided a thorough explanation of the process involved in school board elections and of the circumstances involved in the 2022 election. It became evident from this discussion and review of other pertinent information that no issue of impropriety surrounded the placement of any of the trustees seated in 2022.

In a discussion with an EUSD administrator, the Grand Jury was informed about the need for active recruitment of community members to serve so there is candidate provided for each seat. This information provided a useful explanation of what happened as well as assurance that no irregularity occurred in the election of trustees.

## **DISCUSSION**

### **The Legal Setting**

The California Education Code provides that local school districts are governed by a school board comprised of locally elected trustees. It generally requires such trustees to be elected

from the district as a whole, but it also permits county level officials to authorize election by trustee-areas consisting of subdivisions within the school district boundaries. In trustee-area districts like EUSD, both candidates and eligible voters must be residents of that area.

Sections 5326 and 5328 of the California Education Code provide that candidates for a position as trustee in a trustee-area election who are running unopposed will be “seated at the organizational meeting of the board.” Section 5326 calls this arrangement an appointment. Local practice refers to it as being “elected off-ballot.”

In Yolo County, the election of school board trustees is conducted by the Election Office. No local school district official has a role in the conducting the elections. Costs of the elections are “fronted by” the Election Office subject to reimbursement from candidates and/or entities which have positions placed on the ballot. Treating unopposed candidates as “elected off ballot” thus entails a substantial cost saving to candidates and to entities with positions on the ballot. The Election Office also has procedures in place to deal with vacancies between elections, with situations where candidates run unopposed, to enable write-in options, to provide required public notices, and to otherwise ensure compliance with election laws. The complaint questioned why there was no write-in option provided on the ballot. An Election Office official advised that such a provision is not automatically available. Inclusion of a write-in option on the ballot requires timely compliance with the same application and vetting process for a named write-in candidate as applies to any other candidate. There is no “fill-in-the-blank” option.

### **The 2022 Elections**

In 2022, the Elections Office issued a Notice of Elections that provided public notice that all five seats for the EUSD Trustees were up for election. Three positions were for full terms of four years, and two positions were for two years to fill out terms of trustees who had departed from the Board and to conform to the authorized staggered election system under which the EUSD operates.

The Election Office advised that the process for applying and qualifying to be a candidate occurs in the period between 118 days and 88 days preceding an announced election. All five trustees seated on the EUSD Board personally presented themselves at the Election Office in a timely manner, submitted required paperwork, and subsequently were approved as qualified candidates by the Election Office officials. Public notice of the status of contests up for election in the 2022 cycle was provided on the Election Office website and by periodic press releases. Notice is provided with the names of every candidate for every position on the ballot. The Election Office refers to these positions as a “contest”. Once the application period closes, use of the term “contest” refers only to positions that will appear on the ballot.

Five days after the end of that period, on the 83rd day preceding the election, the Elections Office advised the Esparto candidates, the EUSD Board and the Superintendent of its intention to take four of the five trustee positions off-ballot because the four affected candidates were running unopposed. The Election Office informed the Grand Jury that no notice of this action was required to be provided to the general public.

In a later interview on a separate matter, the Grand Jury learned that lack of community involvement and participation in school related undertakings is often an issue. Therefore, school district officials are engaged in active recruitment of community members who are concerned with school issues and are qualified candidates for otherwise vacant trustee positions.

The 2022 ballot was subsequently printed out and presented to voters with only the single contested seat listed.

## **FINDINGS**

The Grand Jury makes the following findings:

- F-1 The 2022 election of Esparto Unified School District trustees fully complied with the relevant elections law.
- F-2 No impropriety existed in the act of recruitment of community members to run for office by an Esparto Unified School District official.
- F-3 The Grand Jury fully accepts testimony presented in interviews that the scope of community involvement in school affairs within the Esparto Unified School District is sometimes a challenge which requires and justifies proactive involvement by District personnel.

## **RECOMMENDATIONS**

The Grand Jury has determined that there are no corrective actions required.

## **COMMENDATION**

The Yolo County Election Office was very helpful and responded to all requests for information in a very timely and professional manner.

## **REQUIRED RESPONSES**

There are no required responses to this report.

## **ENDNOTES**

- [1] California Education Code Section 5326  
[https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=EDC&sectionNum=5326](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=5326)



[2] California Education Code Section 5328

[https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=EDC&sectionNum=5328](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=5328)

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.

**YOLO COUNTY CIVIL GRAND JURY**

**THE YOLO COUNTY GENERAL PLAN**

***LET’S START THINKIN’ ABOUT TOMORROW***



*-Photo by Juror Daniel Gumpy-*

*“By failing to prepare, you are preparing to fail”*

*-Benjamin Franklin*

**SUMMARY**

General Plans chart the course for a county, a strategy for how the county will proceed in dealing with growth and development in the foreseeable future. General Plans are often referred to as “The Constitution” for local governments. It is a living document, amended regularly, as it is expected to remain current with Yolo County’s changing environment and the concerns of its citizens. Last comprehensively updated in 2009, the Yolo County General Plan’s next update is expected in fewer than six years.

The 2009 update was preceded by years of planning, which included governmental and public workshops, the use of private consultants, and meetings with each of the cities within Yolo County, numerous county advisory committees, local agencies, non-profit groups, community organizations and individual landowners and residents. The cost was over a million dollars and will be significantly more expensive for the 2030 update. Concern has been expressed that planning for this important, but costly, endeavor should begin now. Funding should begin to be allocated now, regardless of when the process begins.

**BACKGROUND**

The Yolo County General Plan was first adopted in 1958, updated in 1983, and again in 2009 [1]. However, some portions, such as the Housing Element, are required by the state to be addressed more frequently, with the Housing Element requirement to be every five years.

The 2009 major update to the Yolo County General Plan involved over five years of planning which included governmental and public workshops, the use of private consultants, and numerous Board of Supervisors’ meetings. State law provides that each mandatory General Plan element may be amended no more than four times per year.

### **Updates to the Current General Plan Elements**

1. **Use Element:** Provides overall land use policies for county properties and includes, among other uses, policies for housing, recreation, business, and open spaces.
2. **Circulation Element:** This is a transportation plan and focuses on major streets and transportation facilities.
3. **Public Facilities and Services Element:** Covers issues related to water facilities, wastewater collection and treatment, storm water collection facilities, as well as public services such as schools, parks, and recreation.
4. **Agriculture Element:** Covers issues related to agricultural land use and preservation, cultivation, and economic viability planning.
5. **Conservation and Open Space Element:** Addresses issues regarding conservation, military installations, and protection of Native American sacred sites. It also addresses biological resources, water resources, mineral resources, cultural resources, air quality (including climate change) and energy conservation.
6. **Noise Element:** Addresses noise problems in the community.
7. **Safety Element:** Includes policies to protect the community from risks associated with the effects of environmental hazards and airport safety. It also covers emergency preparedness in the county.
8. **Housing Element:** Is legally required to be updated every five years and to include specific components regarding supply and demand.

### **Amendments to the General Plan Since 2009 [2]**

- 2014:** Minor changes were made to the zoning code. Corrections to antiquated subdivision and parceling issues were made.
- 2015-2016:** Two parcels were redesignated to accommodate a condominium project. One parcel was redesignated involving Yolo Landfill. Clarksburg parcels were also redesignated, and Flood Hazard Implementation Actions were brought up to State standards. One parcel was redesignated in Dunnigan.
- 2017:** Dunnigan, Elkhorn, Madison, and Knights Landing Specific Plan references in the General Plan were removed and replaced. A historic business was allowed to be demolished for health and safety concerns.
- 2018:** Revision of text related to “Rural Residential” were made; policies were revised relating to the expansion of reliable internet service; and redesignation of properties in Yolo, Woodland, and Esparto were made.

- 2019:** The 2018 Multi-Jurisdictional Hazard Mitigation Plan Update was approved and the Esparto Community Plan Update was adopted. The Bryte Landfill Remediation Project was implemented. An update to the Cache Creek Area Plan was adopted, and minor amendments to the General Plan Table in the Land Use and Community Character Element were made.
- 2020:** There were no amendments to the General Plan made in 2020.
- 2021:** The Housing Element was updated for the planning period 2021 through 2029 and included the county's housing needs for all income levels. In addition, the Cannabis Land Use Ordinance was addressed with changes to the policies in the Land Use and Community Character Element and Agriculture and Economic Development Element. Policies involving cannabis use in the unincorporated area of the county were also addressed.
- 2022:** The General Plan Land Use Map was amended to extend the Mineral Resources Overlay (MRO) land use designation over an additional 212 acres to cover the 319.3-acre Teichert Shifler Aggregate Mining site (ZF2018- 0078). In addition, the Barn at Utter Ranch was added to the County’s list of recognized Historic Landmarks and updated the list of addresses for Historic Landmarks within the Conservation and Open Space Element of the General Plan (ZF2021- 0047).
- 2023:** The Land Use and Community Character Element, Conservation and Open Space Element, and Health and Safety Element were amended to conform with State requirements. This included adding policies to address environmental justice, climate adaptation, resiliency strategies, and vulnerability assessments.

## **APPROACH**

The Grand Jury became aware of the increasingly pressing issue of updating Yolo County’s General Plan by 2030. All the county’s departments are affected and thus should be actively involved. The Grand Jury focused on the involvement and whether the departments had begun communications for a coordinated effort of procuring funding for the new general plan project. The Grand Jury reviewed information via background research, utilized past historical information on the subject, newspaper articles, and interviewed multiple levels of county officials.

## **DISCUSSION**

California Government Code Section 65300 requires the General Plan to be comprehensive, internally consistent, and long-term. Although required to address the eight elements and issues specified in State law, the General Plan may be organized in a way that best suits the county. The General Plan should be clearly written, available to all those concerned with the county’s development and easy to administer. The General Plan meets these requirements while also presenting a vision for the county’s long-term physical form and development. It

serves as a basis for future decision-making by county officials, including county staff, County Counsel, the Planning Commission, and the Yolo County Board of Supervisors (BOS).

The process of updating the 2009 General Plan began in May of 2003, as directed by the BOS. At the outset of the process, the BOS elected to undertake an extensive process of public outreach and involvement. A comprehensive list of stakeholders was identified and throughout 2004 and 2005 over 20 public workshops were held throughout the county in the cities and unincorporated communities to gain input and ideas from the community.

The current planning process and funding allocation for updating the Yolo County General Plan is deficient. Preparations to update the General Plan for 2009 began six years prior to the implementation and had previously set aside necessary funding to facilitate the process.

Even though six years remain until the anticipated update of the General Plan by 2030, the Grand Jury believes that the current process will be more complex than the previous planning process. The addition of new policies mandated by the state including ones addressing Housing and the Unhoused, Environmental Justice and Climate Action will be especially time consuming.

The Grand Jury suggested making the link to “The General Plan Annual Progress Reports” on the County website more accessible and visible to the general public. After discussions and multiple interviews with Yolo County Community Services staff, the link was established in January 2024.

## **FINDINGS**

The Grand Jury recommends the following findings:

- F-1 The failure to commit the funds necessary to plan for the next Yolo County General Plan prolongs the lengthy and expensive process required to plan for the future of Yolo County.
- F-2 The General Plan process is lengthy and will take years to finalize. The failure to establish a timeframe for the General Plan risks a potential setback due to the length of time it will take to complete.
- F-3 The General Plan Annual Progress Reports were neither current nor easily located on the Yolo County website. This made it difficult for the public to stay informed on annual progress changes to the General Plan. Once apprised of this concern, the Community Services Division established the link in January 2024.

## **RECOMMENDATIONS**

The Grand Jury makes the following recommendations:

- R-1 By September 1, 2024, the Yolo County Board of Supervisors should begin committing the funds needed to develop the new General Plan. The General Plan is a process that will undoubtedly take years to complete. Allocating the funds needed over multiple years would have less impact on the Yolo County budget.

- R-2 By September 1, 2024, the Yolo County Board of Supervisors should direct Yolo County staff to begin establishing timelines for the new General Plan. It will undoubtedly take years to complete, necessitating the allocation of time and resources now to ensure completion by the expiration of the current General Plan.
- R-3 The Department of Community Services - Planning Division should continue to provide a link on the Yolo County website allowing the public to locate and navigate the General Plan Annual Progress Reports. This will continue to allow accessing previous Annual Reports and provide complete transparency to the public.

## **COMMENDATIONS**

The Grand Jury was pleased that the Department of Community Services - Planning Division agreed to make their annual reports more accessible on their web site.

## **REQUIRED RESPONSES**

Pursuant to Penal Code section(s) 933 and 933.05, the Grand Jury requests responses to its Findings and Recommendations within 60 days as follows:

- Yolo County Board of Supervisors F-1, F-2; and R-1, R-2

## **INVITED RESPONSES**

The Grand Jury also invites responses from the following individual within 90 days:

- Director of the Yolo County Department of Community Services F-1, F-2; and R-1, R-2

## **ACROYNMS/GLOSSERY OF TERMS**

A “Living Document” is a document that is constantly updated and revised as and when needed.

## **ENDNOTES**

[1]

<https://www.yolocounty.org/home/showpublisheddocument/14470/63528938053520000>  
0

[2]

<https://www.yolocounty.org/government/general-government-departments/county-administrator/general-plan/adopted-general-plan>

Note: The links above is the Adopted 2009 General Plan, valid through 2030

## **DISCLAIMER**

This report was issued by the Grand Jury with the exception of a juror who has a personal friendship with a Yolo County employee in a supervisory position. This grand juror did not participate in any aspect of the investigation, including interviews and deliberations, or the writing and approval of this report.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury
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**THE YOLO COUNTY CIVIL GRAND JURY**

**ADDRESSING THE ISSUE OF HOMELESSNESS IN YOLO COUNTY**

***WE WON'T BE LEFT BEHIND***



- Photo by Juror Daniel Gumpy-

*“Don’t try to drive the homeless into places we find suitable.  
Help them survive in places they find suitable”*

*- Daniel Quinn*

**ACKNOWLEDGEMENT**

The 2023-2024 Yolo County Civil Grand Jury (Grand Jury) had the opportunity to meet and interview many individuals who assist in the structure and administration of services related to the unhoused population, as well as individuals in Yolo County who receive services and those who want to receive services. The willingness and candor of those interviewed to provide an honest exchange concerning the challenges and successes of the homeless and associated issues provided the Grand Jury with an abundance of information for this report. The Grand Jury expresses sincere appreciation to everyone who contributed to this effort.

**SUMMARY**

The Grand Jury investigated the status of homelessness in Yolo County and found it to be a multifaceted problem that is being dealt with, and funded by, a myriad of federal, state, county, city, and private organizations. To gain a better understanding of some of the complexities of the homeless issue, the Grand Jury interviewed members of local government, service providers, and individuals who are currently or who have recently been homeless. The Grand Jury toured homeless shelters, transitional and permanent housing complexes and attended multiple governmental meetings.



The Yolo County Homeless and Poverty Action Coalition (HPAC) is a local non-profit organization that assists in coordination, strategy, and funding efforts. A second group, the Executive Commission to Address Homelessness, acts as an advisory commission to the City Councils, County Board of Supervisors, and other organizational bodies. It consists of one elected official from each of the four major Yolo cities, Davis, West Sacramento, Winters and Woodland, an elected County Supervisor, and a representative from HPAC.

These cities also deal with homelessness in their own unique ways. One such example is West Sacramento's Project Homekey, a success story in the eyes of many.

“Just weeks into the pandemic, Governor Newsom announced the first-in-the-nation Project Roomkey at a West Sacramento motel which will now be converted to a Homekey site for permanent housing...” [1]

The Grand Jury found, for the most part, the cities address the homelessness issue independently. Cooperation between the cities is not common. Each city has different approaches to the homeless situation.

Yolo County relies on the Point-in-Time Count (PIT Count), to determine the number of individuals experiencing one of the various types of homelessness (see Appendix A). The PIT Count is a federally mandated biennial report and is also the basis for federal funding.

Fourth and Hope, a non-profit organization, was formed in Woodland in the 1980s, and provides emergency and permanent housing and a place to shower and get a hot meal. It is Yolo County's largest such residence, and expansion to the facility is currently underway. The remoteness of the location on East Beamer Street makes transportation to and from Fourth and Hope problematic.

Websites are commonly utilized to provide online information for available homeless services. A comprehensive “Dashboard,” listing all services, locations, and hours of operation, would provide a valuable tool for service providers and the general public. For optimum use, it should be updated daily by the County and all involved organizations. It should list bed availability, resources available for the unhoused, and upcoming open meetings regarding homelessness issues.

Intake questionnaires and applications that must be completed in order to receive services are often difficult for those with educational or literacy challenges.

Lastly, because of the complexities, cost, and numbers of service providers involved, future Yolo County Grand Juries should consider some aspect of homelessness as a yearly enquiry, similar to what is currently done by grand juries with the County's detention facilities.

*“We must meet the challenge rather than wish it were not before us”  
-William J. Brennan, Jr., Former Associate Justice of the U.S. Supreme Court*

## **BACKGROUND**

One sees homelessness every day. Unhoused individuals occupy storefront sidewalks or set up camps in parking lots. Emergency services are impacted. The reasons for homelessness are

varied: lack of financial resources, ill health, drug use, mental illness, ill fortune, and even choice. The road to homelessness is long, complex, and unique to each person.

The chief moral issue that confronts the community is the extent to which unhoused people suffer. They suffer disproportionately from early death, physical deprivation, isolation, and the disdain of established members of our society. What can be done, as a community, to alleviate this endless cycle of pain?

There are obvious challenges in addressing homelessness:

- **Funding and Resources:** Adequate funding is essential for implementing effective solutions, yet resources are often limited. This requires prioritization and efficient use of available funds.
- **Public Perception and Stigma:** Changing public perception and reducing the stigma associated with homelessness is crucial for gaining community support for solutions.
- **Coordination Among Services:** Effective response requires coordination among various services and agencies, which can be challenging due to differing priorities, capacities, and funding mechanisms.
- **Policy and Legislative Barriers:** Existing policies and laws can sometimes hinder efforts to address homelessness. Advocacy for policy change is often necessary to remove these barriers.

The Grand Jury examined some aspects of how this issue manifests itself in Yolo County. What is working well? What are the steepest barriers to mitigation? Can the problem ever be “solved” or is it an endemic part of modern life that needs to be managed as an ongoing process?

## **APPROACH**

The investigation into the unhoused population in Yolo County involved interviewing many individuals. The Grand Jury interviewed county government employees, city government employees, non-profit organizations, faith-based organizations, police, and individuals who are or have recently been living on the streets. The Grand Jury also visited several of the County’s homeless shelters and transitional housing facilities.

In order to understand the gravity of the situation in our area, the Grand Jury reviewed information and statistics from newspaper articles, publications, county assessments, and PIT counts.

The Grand Jury attended several meetings of the County’s Executive Commission to Address Homelessness. The Commission is comprised of elected officials from Woodland, West Sacramento, Davis, Woodland, and the Executive Director of HPAC. The purpose of the Commission is to support countywide policy, strategy, and funding recommendations aimed at addressing homelessness and housing issues.



*Fourth and Hope, Woodland, California  
- Photo by Juror, Daniel Gumpy-*

*“From the comfort of our own homes it’s hard to understand the complexities of something like poverty and homelessness.”  
- Terence Lester*

## **DISCUSSION**

The Grand Jury was tasked with investigating the current condition of homelessness within Yolo County. Homelessness is a national crisis and affects unhoused individuals and the community at large. For Yolo County citizens experiencing homelessness, it is a personal crisis which defines their lives. For the local community, it is a human, moral, and economic crisis.

### **Point-in-Time Count**

The Federal Department of Housing and Urban Development (HUD) mandates that jurisdictions receiving federal funds from HUD perform a biennial count, the PIT Count, of unhoused, sheltered, and unsheltered persons. Yolo County collects this data on a specific night, utilizing county employees, non-profit organizations, and the various city police departments.

According to the PIT Count taken on February 22, 2022, 746 individuals in Yolo County were experiencing homelessness on that particular day (See Appendix B). Teams of surveyors sought to include these individuals (comprised of single persons and families) in all the local jurisdictions and non-urban areas.

The most recent PIT count was taken in January 2024. As of the writing of this report, the results are still being tabulated and the report has not yet been released. Preliminary data, however, shows an increase in unhoused individuals and families in Yolo County.

### **County Plan to Address Homelessness**

In 2022, the Yolo County Health and Human Services Agency (HHS), in conjunction with HPAC, developed and published the “2023 – 2026 Yolo County Plan to Address Homelessness” [2]. This document offers a complete and comprehensive assessment of the current (as of July 2022) homeless situation in Yolo County and detailed approaches to end homelessness in the county.

In establishing goals, the County used the model based on the Housing First principals:

1. Strengthen the homeless crisis response system and prevention services
2. Increase permanent affordable housing options for those experiencing or at risk of homelessness
3. Improve collaboration and coordination between physical and behavioral health care and housing and homeless services
4. Strengthen systems level coordination [3]

### **The Homeless and Poverty Action Coalition (HPAC)**

The federal government has a program, designated as the Continuum of Care (CoC), that is designed to promote community-wide commitment to the goal of ending homelessness. HPAC is the Yolo County CoC. HPAC is a local non-profit agency that provides leadership and coordination on issues of homelessness and poverty in Yolo County. HPAC serves numerous roles and responsibilities, many of which fulfill federal, state, and local government mandates. Such activities include:

- Locally implementing the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act
- Locally implementing the region's Homeless Management Information System (HMIS)
- Maintaining a coordinated response among service providers to ensure continuity of services
- Assessing needs and identifying gaps in services for persons facing homelessness in Yolo County on an ongoing basis
- Supporting the planning, funding and development of services to meet prioritized needs within Yolo County
- Planning, developing and sustaining options to meet the housing needs of people facing homelessness
- Promoting access to and effective utilization of mainstream human services programs [4]

### **Coordination and Communication Between Stakeholders**

There are several county agencies, non-profit organizations and law enforcement entities that are involved in Yolo County's response to the local homeless crisis. Communication and coordination between these stakeholders can be difficult to manage and, as a result, shared information is often inaccurate or inconsistent.

### **Notification of Meetings**

The Ralph M. Brown Act (Brown Act) is a California law that guarantees to the public the right to know in advance the location, date, time, and agendas of all legislative bodies. This information must be posted for public information at least 72 hours prior to the meeting time. In addition,

the Brown Act requires agencies with websites to post meeting information on the primary webpage in a prominent, direct link.

On more than one occasion, the Grand Jury found that meeting dates, locations, times, or agenda information for the Executive Commission to Address Homelessness was not posted as required. One meeting in particular, after several phone calls to inquire about the meeting specifics, several jurors showed up at the designated location only to find out after approximately 30 minutes of waiting, that the meeting had been rescheduled and the location changed. Again, this information was not posted anywhere on the website.

## **ADDRESSING THE ISSUES**

Given the enormity of the issue, the Grand Jury determined a comprehensive investigation of the homeless crisis was far beyond the reasonable scope of the 2023-2024 Yolo County Grand Jury. This problem will exist past this Grand Jury's time of service but is worthy of future grand juries to investigate ongoing aspects of homelessness. Currently the only report that grand juries are required to investigate involve county detention facilities. The issue of homelessness is equally important and should warrant yearly investigations.

The Grand Jury decided to focus on measures that would have the timeliest impact:

- Access to Resources
- Housing Needs
- Transportation to Services
- Respite Centers
- Funding Streams
- Webpages
- Mapping of Services

### **Access to Resources**

Generally, in order for an individual to inquire about available services, they must first complete an assessment form, typically at one of the County's Coordinated Points of Entry. At these Points of Entry, a staff person will assess the family's needs and connect them with services such as shelter, housing search help, and other basic needs.

The Points of Entry in Yolo County are:

City of Davis:

- Davis Community Meals and Housing
- City of Davis Respite Center

City of Woodland

- Empower Yolo

- Fourth and Hope

City of West Sacramento

- Former Rodeway Inn
- Yolo County Children’s Alliance (YCCA) Family Resource Center

The assessment form is referred to as the Vulnerability Index – Service Prioritization Decision Assistance Tool (VI-SPDAT). The VI-SPDAT is used to evaluate each individual’s specific situation and services from which they might benefit. Individuals are given a score and their information is added to the Continuum of Care Homeless Management Information System (HMIS) database. Recently, the use of the VI-SPDAT form has come under criticism for being inconsistent, inaccurate, and racially biased. In an article by the Washington Post, the VI-SPDAT was noted as “...a survey that was designed as a tool to gauge vulnerability but has been disowned by its co-creator after studies showed it disadvantaged minorities” [5]. Many counties are starting to utilize assessment tools other than the VI-SPDAT [6].

### **Housing Needs**

The needs of unhoused persons in Yolo County are many and varied. In conversation with several individuals, the need most often mentioned was for permanent affordable housing. Unfortunately, even when housing might be an option, individuals often encounter a variety of barriers. Applications are often cumbersome for both the unhoused persons and the service providers to fill out. Even a requirement to fill out a form with a specific color ink can be problematic to some. Accessing services can often be bureaucratic in nature and difficult to navigate. When support is available to help individuals with the application process, it often requires the applicant to travel to where the help is provided. For many this presents an additional barrier to securing housing.

### **Transportation to Services**

The Fourth and Hope facility sits on approximately five acres of land near the intersection of County Road 102 and East Beamer Street in Woodland. Due to the remote location from downtown Woodland, a 10-passenger van was donated by the City of Woodland in an effort to mitigate the distance problem. Due to staffing issues or lack of staff with required licenses, the van is generally not in use.

During the development of Fourth and Hope, there was also an effort made to establish a bus stop close to the facility, as the closest stop is currently 1.5 miles away. An attempt was made to provide funding for a Yolobus stop close to the facility.

The Yolo County Transportation District (YCTD) submitted a request to the Sacramento Area Council of Governments (SACOG) for approval of the bus stop. SACOG ruled that there were no unmet transportation needs in this case. They cited the availability of the aforementioned van and the low total transport demand as reasons as quoted in the following:

“YCTD has received numerous requests to provide public transit service to the newly relocated East Beamer Way campus, which was built by the City of Woodland in 2020 (prior to turning over the building and land to the Friends of the Mission nonprofit) and

occupied in 2021 by shelter operator Fourth & Hope. The East Beamer Way campus includes an emergency shelter, and will also include permanent supportive residences, a community center and a substance use treatment facility. The East Beamer Way campus is currently connected to the YoloBus fixed route bus system via a shelter-operated van service, which operates Monday through Friday 8:30AM to 3:30PM (Walmart pick-up/drop-off at 8:30AM, 12:30PM, 3:30PM; other locations by appointment only). Shelter Client Care Team staff drive the one (1) vehicle in the fleet. The vehicle is a 10-passenger van that was provided by the City of Woodland. Fourth & Hope staff estimates that 75% of the approximately 100 individuals served daily at the East Beamer Way campus use the van for transportation and 15-25 individuals have personal vehicles at any given time. In 2022, consistent with the YoloGo Study, YCTD will be restructuring Woodland fixed route bus routes in coordination with the launch of new intracity microtransit service in Woodland. When those service changes are planned, YCTD will work with City of Woodland and Fourth & Hope staff to determine whether any additional YCTD support or service is needed to adequately serve the needs at the East Beamer Way campus. This is not an unmet transit need that is reasonable to meet.” [7]

### **Respite Centers**

Respite centers offer daytime locations with services to unhoused individuals. These are services such as laundry facilities, meals, showers, and indoor spaces to just get out of the weather. The number of respite centers in Yolo County, however, is limited, and often they are only open during limited daytime hours and generally not open on the weekends. Yolo County respite centers include:

- The Davis Homeless Respite Center is currently only open from 8 – 1, M-F (2/28/2024).
- Fourth and Hope (Woodland) has emergency shelter facilities including 100, 24-hour beds for individuals (men and women). It offers respite services.

### **Funding Stream**

The County receives funding from myriad sources including multiple federal and state programs. The costs for homeless services, however, continue to escalate, so a lot of time is spent seeking additional funding. This requires staffing, and because the funding sources are in constant flux, local governments often need to hire limited term staff rather than permanent positions.

In addition, with so many funding streams, the money the County receives for the service providers is often delayed in getting to the programs due to departmental policies regarding money transfers. It is common for funds to take 10 to 11 months before distribution.

In regard to additional funding, Yolo County should look at approaches taken by other jurisdictions to gather revenue. One example of a successful source of revenue is demonstrated by the City of West Sacramento. In 2016, the City passed Measure E, which was a 0.25 percent sales tax to assist in the funding of homeless services.

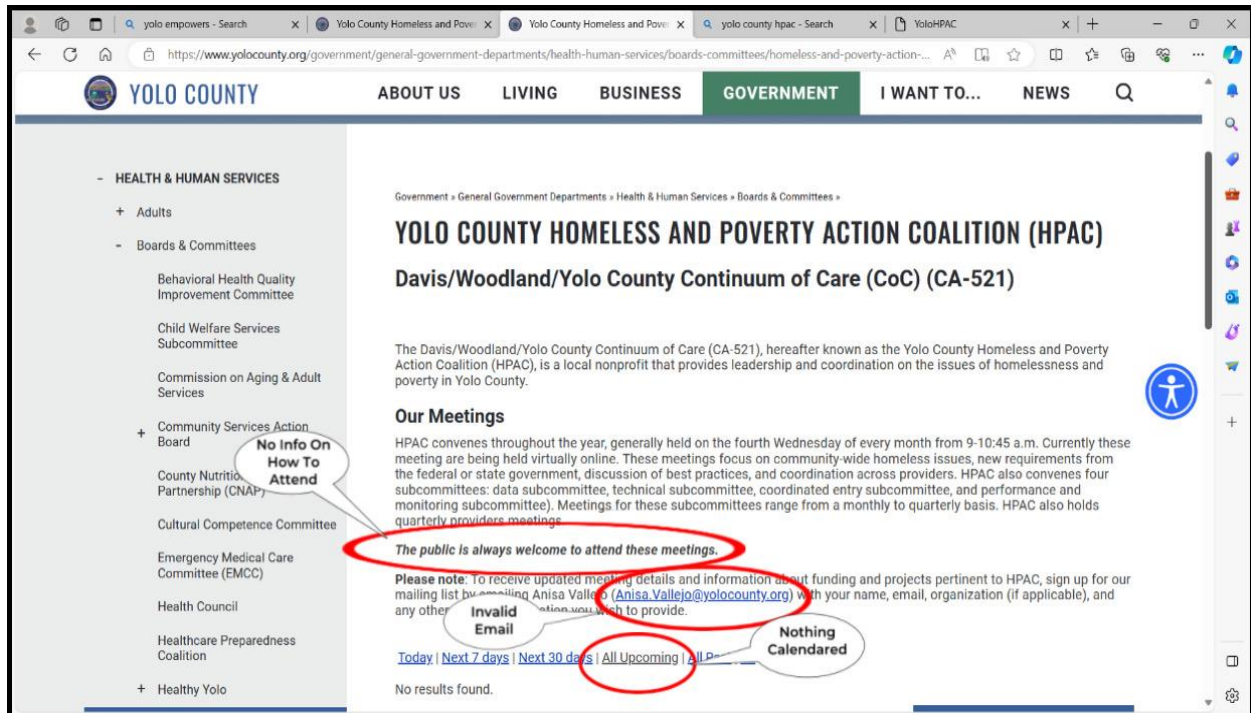
### **Web Pages**

Web pages are an integral part of today’s online environment. When the primary reason for a web page is to convey to the reader, helpful and specific information on a centralized platform,


it is critical that measures are in place to ensure that the information listed on the webpage is accurate, complete, and up to date.

The Grand Jury found multiple instances of web pages that were missing key information, such as addresses or telephone numbers, pages that had not been updated for several years, broken links, and other inaccuracies.

Below are just a few examples of inaccurate web pages that the Grand Jury encountered through the course of the investigation:





 **Yolo County Homeless and Poverty Action Coalition (HPAC)**  
Davis/Woodland/Yolo County Continuum of Care (CA-521)

2021 Board Members	
<b>New Organization Seats</b>	
Jeneba Lahai	
Sarah Danley	
Helen Roland	
Daniel Walker	
<b>Legacy Seats</b>	
Alysa Meyer	<b>Outdated Member List. No Contact Information Listed.</b>
Lynnette Irlmeier	
James McLeod	
Bill Pride	
Doug Zeck	
<b>Ex Officio Seats</b>	
Ian Evans	
Deanne Machado	
Mark Sawyer	
Dan Sokolow	
Sandra Sierist	



## Winter Warming Centers

Warmth in multiple dimensions

**Information is Out of Date  
and Lists No Contacts**

**NOTE: Due to covid-19 and the inherent risk in congregate settings, the Winter Warming Centers will not be operating in 2020-21. We very much regret this development and expect the WWCs to return in December of 2021. In the meantime, our staff and volunteers are committed to keeping safe as many of our clients as possible through our partnering efforts with Project Roomkey and the Homekey Program.**

## **Mapping of Services**

The County, in an effort to provide service information, has developed a 'Street Sheet' (see Appendix C) which lists many of the resources and services available in Yolo County. While this pamphlet lists addresses, telephone numbers and operating hours of the services available, it is a static document. When new services are established, when existing services end, or when any other information changes, the pamphlet loses its overall effectiveness.

The County, in conjunction with HPAC, is developing a Geographic Information System (GIS) mapping tool that can provide dynamic online service provider information. Most unhoused individuals own cellphones which would allow them access to this information. Among the design goals of the GIS mapping tool are:

- Bus Routes: With emphasis on travel to service providers
- Homeless shelters: addresses and telephone numbers
- Food banks
- Affordable Housing
- Dental offices accepting Medi-Cal/Medicaid
- Migrant centers
- An inventory of available housing spaces
- Emergency Services: Police, firefighters, hospitals, etc.

The GIS mapping web application represents a significant investment in improving overall knowledge of homeless services in Yolo County. While challenges exist, the project is on track to deliver a valuable tool that will improve the coordination and delivery of critical services.

One significant challenge is to get commitments from service providers to participate in the project. The County has requested providers to supply their service information, but to date, there is a large percentage of providers that have not fully responded or have not provided any service details. If the listing of information is not complete, the residents of Yolo County who are seeking information may not be able to access needed services.

## **FINDINGS**

The Grand Jury makes the following findings:

- F-1 The plight of individuals experiencing homelessness is a complex and difficult issue that will affect Yolo County for the foreseeable future. Although services and funding have increased, so have the numbers of those needing services. With so many service providers, funding streams, organizational structures, and administration of programs, it is essential that public oversight of the "homeless industrial complex" be continued.
- F-2 The VI-SPDAT form is used to evaluate an individual's situation and from what services they might benefit. They are given a "Vulnerability Index" score and the information is added to the Continuum of Care's database. When housing opportunities arise, those

- with a higher index score and who meet the housing criteria, are given preference for placement. Inconsistencies in the administration of the form results in flawed scoring, may not be reliable, and may perpetuate racial inequities.
- F-3 County websites, including the Health and Human Services and Homeless Services webpages, have outdated links, missing phone numbers, and incorrect employee and contact links. Effective availability of services information is negatively impacted when the websites are incomplete or incorrect.
  - F-4 Yolo County has not consistently posted meeting information for the Executive Commission to Address Homelessness. This is a violation of the Brown Act. As a consequence, the public is frequently unable to obtain information for scheduled public meetings or participate in deliberations.
  - F-5 Residents of shelters and respite centers may often require support with housing options, application submittals, and other services. Without this support many individuals' needs go unmet.
  - F-6 The Fourth and Hope property is difficult for its intended clientele to access by bus. The closest bus stop is approximately 1.5 miles away at the intersection of East Main Street and Yolo Polo Plaza. The transportation vans at Fourth and Hope, which initially were donated to alleviate the transportation issues, run irregularly or not at all due to a variety of factors.
  - F-7 Yolo County would benefit from a dynamic GIS mapping application to provide help to anyone needing to access information regarding available services, locations, and hours. Although the development of this type of application is in progress, the county has had difficulty obtaining relevant information from service providers. This results in an incomplete and inaccurate application.

## **RECOMMENDATIONS**

The Grand Jury recommends the following:

- R-1 Yolo County Grand Juries should conduct a yearly investigation regarding the issue of homelessness, similar to the current requirement that Grand Juries must follow with annual reporting of some aspect of Yolo County Detention Facilities.
- R-2 Yolo County Health and Human Services, in conjunction with the Homeless and Poverty Action Coalition, need to evaluate alternate screening tools to assess individuals experiencing homelessness. The Grand Jury is requesting an evaluation and determination if another form of assessment would be an improved screening tool to replace the VI-SPDAT form. This evaluation should be completed by October 31, 2024.
- R-3 The information on all County webpages pertaining to homeless services, need to be updated by September 30, 2024. Web pages need to be updated annually, or more frequently if appropriate.

- R-4 Yolo County should ensure public meetings are always posted as mandated by the Brown Act.
- R-5 Yolo County Health and Human Services Agency should develop a routine schedule for employees to visit various shelters and respite centers around the County, be available to assist individuals who might need help filling out applications, and to answer questions they might have about accessing services. This schedule should be posted on the Health and Human Services webpage listing locations with days and hours staff will be available to provide assistance. The schedule and its online posting should be implemented by October 31, 2024.
- R-6 The City of Woodland and the Yolo County Transportation District should renew efforts to establish bus service in the northwest industrial area of Woodland. The request for a bus stop should be included in the next SACOG Unmet Transportation Needs report submission.
- R-7 The Health and Human Services Agency should include in the service providers' grant applications, a requirement that they provide timely information for the GIS mapping project and commit to updating the information as needed. This statement should be included in the applications prior to the next grant submission cycle.

## COMMENDATION

**Residents who told their stories regarding their homeless experiences:** The Grand Jury interviewed several Yolo County residents who are or have been homeless and commends them for agreeing to be interviewed and to speak about their individual experiences. They shared details of their struggles in finding shelter, both emergency shelter and more permanent housing. They described times on the street when they didn't feel safe. They spoke of help they received along the way that sustained them during very tough times. They were forthright and open-hearted in speaking about their lives. They spoke honestly about experiencing homelessness. Their openness reminded the Grand Jury that, amidst the complexities regarding funding and issues of communications, homelessness is really about people in our community, and their day-to-day challenges.

**City of West Sacramento:** The Grand Jury commends the City of West Sacramento for developing and implementing a multi-level approach to the City's concerns regarding homelessness. In 2016, the residents of West Sacramento passed Measure E which permanently increased the sales tax by one-quarter (0.25) percent. These funds are allocated to projects including "homelessness initiative" and "reducing community impacts of homelessness" [8]. With this tax revenue, the City is able to make significant and positive changes for its unhoused residents. This can be a model for other Yolo County jurisdictions to consider in their own communities.

**HPAC/HHSA GIS Mapping Project:** The Grand Jury commends the Yolo County Health and Human Services Agency and HPAC for undertaking the GIS Mapping project. The GIS Mapping

initiative aims to create a centralized, interactive web application to streamline access to vital information for both homeless clients and service providers in Yolo County.

## REQUIRED RESPONSES

Pursuant to Penal Code sections 933 and 933.05, the Grand Jury request responses as follows within 90 days:

- Yolo County Board of Supervisors                      F-2, F-3, F-4, F-5, F-7; and R-2, R-3, R-4, R-5, R-7
- Yolo County Transportation District Board of Directors              F-6 and R-6

## INVITED RESPONSES

The Grand Jury also invites responses from the following individuals within 90 days:

- Yolo County 2024 – 2025 Grand Jury              F-1 and R-1
- Yolo County Health and Human Services              F-2, F-3, F-4, F-5, F-7; and R-2, R-3, R-4, R-5, R-7
- City of Woodland                                      F-6 and R-6
- Yolo County Transportation District              F-6 and R-6

## ACRONYMS/GLOSSARY OF TERMS

**Brown Act:** Officially known as the Ralph M. Brown Act, is a California law that guarantees the public the right to be informed, attend, and participate in local legislative bodies.

Some of the basics of the Brown Act include:

- Agendas and Meeting Notification must be posted seventy-two (72) hours prior to the meeting. Special meetings require twenty-four (24) hours prior.
- Must be posted on local website and at the meeting location
- Meetings of public bodies must be open and public.
- Public comment before or during agenda items

**CoC – Yolo County:** Yolo County’s Continuum of Care is known as Homeless and Poverty Action Coalition (HPAC). HPAC is a non-profit organization responsible for providing leadership and coordination for homeless and poverty issues.

**Coordinated Entry System:** Coordinated Entry System is the process of establishing locations for individual experiencing a housing crisis to get assistance in acquiring services.

**Executive Commission to Address Homelessness:** Yolo County based advisory commission comprised of four elected city officials from the cities of West Sacramento, Davis, Woodland, and Winters, one elected County Supervisor and one elected representative of HPAC.

**GIS:** Geographic Information System. GIS connects data to a map with information to various services.

**HEARTH:** Homeless Emergency Assistance and Rapid Transition to Housing Act.

**HHS:** Yolo County Health and Human Services Agency is a county agency that provide services to children, families, and individuals with focus on housing, mental health treatment and economic programs.

**HMIS:** Homeless Management Information System is the county database used to collect housing and services needs for individuals

**HPAC:** Homeless and Poverty Action Coalition is a non-profit organization responsible for providing leadership and coordination for homeless and poverty issues.

**HUD:** U. S Department of Housing and Urban Development is a federal agency that administers programs addressing housing needs.

**Low/no barrier shelter:** Low/no barrier shelters require minimal entry requirements for access to shelters such as sobriety or substance use.

**Measure E:** West Sacramento Measure E was a 0.25 percent sales tax ballot measure in West Sacramento and passed in 2016. A portion of the collected sales tax goes to fund homeless programs.

**PIT:** Point-in-Time Count is a count on sheltered and unsheltered individuals on a single night and conducted every two years

**Project Roomkey/Project Homekey:** Administered by the California Department of Housing and Community Development and used to secure hotel rooms to provide shelter for individuals affected by COVID-19.

**SACOG:** Sacramento Area Council of Governments oversees the regional transportation plan for the Sacramento region.

**VI-SPDAT:** Vulnerability Index – Service Prioritization Decision Assistance Tool is a screening tool used to evaluate an individual’s situation and from what services they might benefit. Individuals are given a “Vulnerability Index” score and their information is added to the County database.

**YCCA:** Yolo County Children’s Alliance

**YCTD:** Yolo County Transportation District provides public transportation services to residents of Yolo County

## ENDNOTES

- [1] Office of Governor Gavin Newsom  
<https://www.gov.ca.gov/2020/10/29/at-west-sacramento-motel-where-he-launched-project-roomkey-in-april-governor-newsom-announces-the-site-will-become-a-home>

- [2] 2023 – 2026 Yolo County Plan to Address Homelessness, July 2022, Yolo County Health and Human Services Agency
- [3] Yolo County 2017 General and Strategic Plan to End Homelessness:  
<https://www.yolocounty.org/Home/ShowDocument?id=55468>
- [4] Yolo County Homeless and Poverty Action Coalition (HPAC)  
<https://www.yolocounty.org/government/general-government-departments/health-human-services/boards-committees/homeless-and-poverty-action-coalition-hpac>
- [5] The Washington Post, May 18, 2022, Justin Wm. Moyer, A survey was meant to help the homeless. Some say it hurts Black people.
- [6] National Alliance to End Homelessness, May 3, 2022, Marybeth Shinn, Moving Beyond the VI-SPDAT: Integrating Your System's Values into Prioritization, endhomelessness.org.
- [7] SACOG FY 2022 – 2023 Unmet Transportation Needs, Board of Directors meeting, February 17, 2022
- [8] Ballot information, West Sacramento, California, Sales Tax, Measure E (November 2016)

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.
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**APPENDIX A**

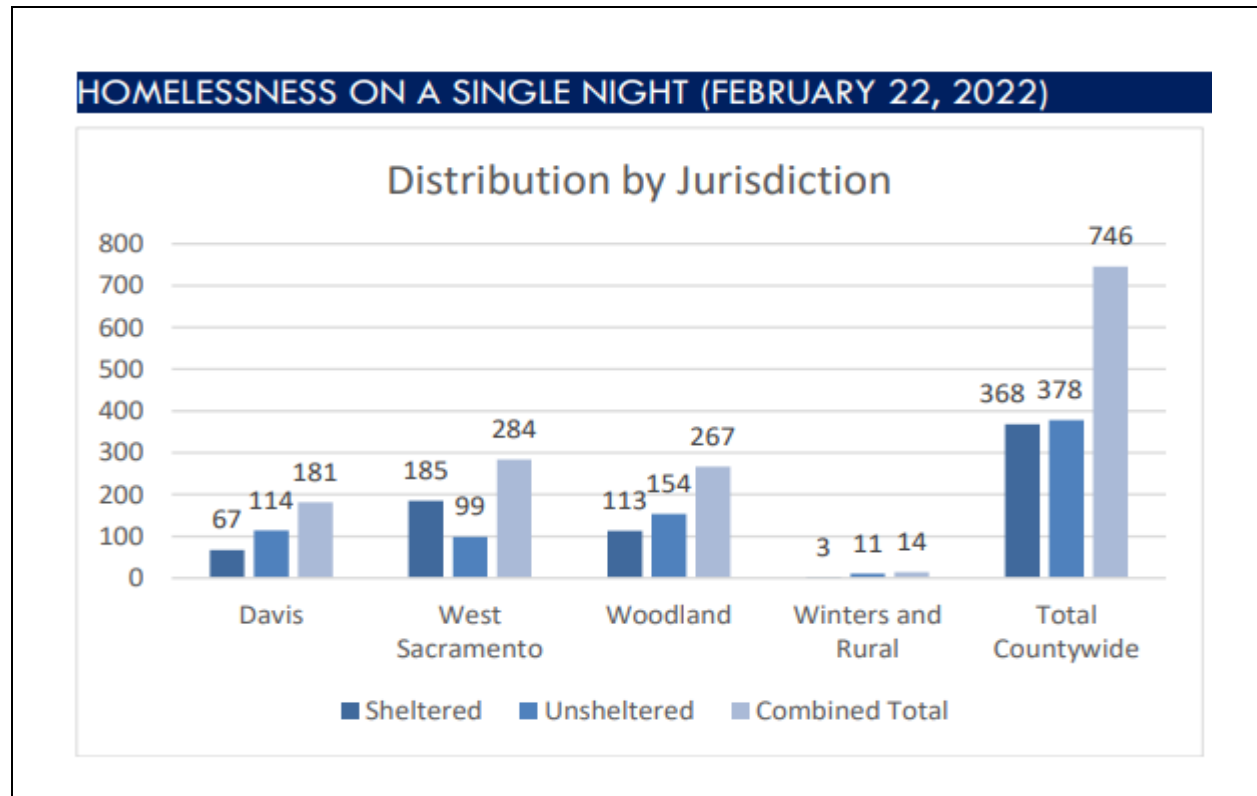
**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)  
DEFINITION OF HOMELESSNESS**

A person is considered homeless only when he or she is:

- living in places not meant for human habitation, or
- living in an emergency shelter, or
- living in transitional housing for the homeless but originally came from the streets or an emergency shelter, or
- staying in a motel paid for by a public or private agency because the person or family is homeless.

**APPENDIX B**

**YOLO COUNTY POINT-IN-TIME COUNT – FEBRUARY 22, 2022**



*Yolo County Homeless Count 2022 -Yolo County Homeless and Poverty Action Coalition*



APPENDIX C

YOLO COUNTY STREET SHEET

**Veterans Services**

**CA Dept of Veterans Affairs:** Connects veterans & families to state & federal benefits & services. M-F 8am-5pm, 1227 O St., Sacramento. 800-952-5626

**Nation's Finest:** Case management for homeless/individuals at risk of homelessness. M-F 8am-5pm, 7270 East Southgate Dr. Sacramento. 916-393-8387

**US Department of Veterans Affairs:** Benefits, health care, & cemetery services. M-F 5am-6pm, 5650 Sunrise Blvd Ste. 150 Citrus Heights. 800-827-1000

**VA Northern California Health Care System:** Drop-in center for homeless veterans. M-F 9am-3:30pm. 10535 Hospital Way Bldg. 650 Mather. 877-424-3838

**Volunteers of America Veteran Housing:** Supportive services for homeless/households at risk of homelessness. M,Tu,Th,F 8am-4:30pm; W noon-4:30pm. 10636 Schirra Ave. Mather. 916-228-3153

**Yolo County Health and Human Services:** Assists veterans, their dependents, & survivors with claims & obtaining benefits. M-Th 7:30am-4pm. 25 N. Cottonwood St. Woodland. 530-406-4850

**Youth Services**

**Empower Yolo:** Advocacy & support services for youth who are underserved or victims of crime. M-F 8:30am-4:30pm, 175 Walnut St. Woodland. 530-207-0895

**Woodland Joint Unified School District, Homeless & Foster Youth Services:** Social and academic support for homeless & foster youth. M-F 8am-5pm. 435 6th St. Woodland. 530-406-3266

**Yolo Crisis Nursery:** Support services for families with children under 6 years. M-F F 7am-7pm. 1107 Kennedy Pl. Davis. 530-758-6680

**Empower Yolo:** Advocacy & support services for youth who are underserved or victims of crime. M-F 8:30am-4:30pm, 175 Walnut St. Woodland. 530-207-0895

**Shores of Hope:** Assistance to at risk/homeless foster youth ages 18-24. M-F 8:30am-4pm. 916-372-0200

**\*Yolo County Children's Alliance:** M-F 8:30am-4:30pm. 1200 Anna St. West Sacramento. 916-572-0560

**Crisis Support**

**CA Youth Crisis Line:** 24/7. 800-843-5200

**Empower Yolo Crisis Line:** 24/7. 530-662-1133

**Meeting Seniors Needs Hotline:** For seniors (55+), veterans, persons with disabilities, & their caretakers M-F 9am-5pm. 866-960-9261

**My Sister's House:** For survivors of domestic violence, sexual assault, & human trafficking. 24/7. 916-428-3271

**988 Suicide & Crisis Lifeline:** 24/7. Dial 9-8-8 or 800-273-8255

**Yolo County Mental Health Access Line:** 24/7. 888-965-6647

**Yolo Crisis Nursery:** 24/7. 530-758-6680

**National Runaway Safeline:** 24/7. 800-786-2929

**Prevention**

**Downtown Streets Team:** Case management, system navigation & employment placement services. 916-823-1297

**\*Yolo County Children's Alliance:** M-F 8:30am-4:30pm. 1200 Anna St. West Sacramento. 916-572-0560

**\*Former Rodeway Inn:** M-F Noon-4pm. 817 W. Capitol Ave. West Sacramento. 916-375-6200

**\*Each resource marked with an (\*) asterisk is part of the Coordinated Entry System\***

**YOLO COUNTY Street Sheet**

**Informational Resource Guide**

**2-1-1**  
Yolo County

*Last updated January 2024*

Front side of tri-fold Street Sheet

<p><b>Emergency Shelter</b></p> <p><b>*Empower Yolo:</b> For anyone escaping domestic violence. 24/7. 530-662-1133  <b>*Fourth &amp; Hope:</b> Nightly Shelter: Check-in M-F at 6pm, 1901 E. Beamer St. Woodland. 530-661-1218</p> <p><b>Transitional Housing</b></p> <p><b>Davis Community Meals and Housing:</b> M-F 8am-Noon, &amp; by appointment. 1111 H St. Davis. 530-753-9204  <b>Saint John's Square Transitional Housing Program:</b> For women experiencing homelessness with/without children. M-F 9am-5:30pm; Sa, Su 9am-4:30pm. 916-453-1482</p> <p><b>Respite/Daytime Shelters</b></p> <p><b>*Davis Respite Center:</b> M-F 7:30am-4pm; Sa 7:30am-3:30pm. 530 L St. Davis. 530-758-0354  <b>Davis Community Meals and Housing:</b> M-F 8am-2pm. 1111 H St. Davis. 530-753-4008</p> <p><b>Rapid Rehousing</b></p> <p><b>Shores of Hope:</b> Assistance to at risk/homeless foster youth ages 18-24. M-F 8:30am-4pm. 916-372-0200  <b>*Empower Yolo:</b> M-Th 8:30am-4:30pm, F 8am-4pm. 530-661-6336</p> <p><b>Permanent Supportive Housing</b></p> <p><b>*Fourth &amp; Hope:</b> Housing for chronically homeless families &amp; individuals. M-F 9am-5pm. 1901 East Beamer St. Woodland. 530-406-0844</p>	<p><b>Food Pantries/Food Banks</b></p> <p><b>Yolo Food Bank:</b> Call for locations. M-F 8:30am-5pm. 530-668-0690  <b>Shores of Hope:</b> M-F 7am-3:30pm. 110 6th St. West Sacramento. 916-372-0200  <b>Manna House:</b> 1st &amp; 3rd Th. 9am-10:30am. 9493 Mill St. Knights Landing. 530-735-6227  <b>Woodland Volunteer Food Closet:</b> M-F 3pm-4pm. 420 Grand Ave. Woodland. 530-662-7020  <b>RISE, Inc. Food Closet:</b> F 2pm-5pm. 17317 Fremont St. Esparto. 530-787-4110  <b>Short Term Emergency Aid Committee:</b> Tu, W 9am-10am, F 4pm-5pm, 642 Hawthorn Ln. Davis. 530-758-8435  <b>Pole Line Road Baptist Church:</b> Th 9am-11am. 770 Pole Line Rd. Davis. 530-753-4315  <b>Salvation Army:</b> 2nd &amp; 4th W. 10am - noon. 413 Main St. Woodland 530-661-0141</p> <p><b>Congregate Meals</b></p> <p><b>*Fourth &amp; Hope:</b> Dinner daily at 5pm. 1901 East Beamer St. Woodland. 530-661-1218  <b>Davis Community Meals and Housing:</b> Meals served Tu,Th 5:45pm-6:30pm; Sa 11:30am-12:15pm. 640 Hawthorn Ln. Davis. 530-753-9204  <b>Meals on Wheels:</b> Meals to seniors 60+, W 11am. 664 Cummins Wy. West Sacramento. &amp; 2001 East St. Woodland. 530-662-7035</p>	<p><b>Clothes &amp; Hygiene</b></p> <p><b>Davis Community Meals and Housing:</b> Showers, clothing, hygiene products &amp; laundry facilities for homeless &amp; low-income individuals/families. M-F 8am-2pm. 1111 H St. Davis. 530-756-4008  <b>*Fourth &amp; Hope:</b> Showers, laundry, phone use, &amp; mail access for people in need. M, W, F noon-3pm. 1901 East Beamer St. Woodland. 530-661-1218  <b>Shores of Hope Clothes Closet:</b> M-F 7am-3:30pm. 110 Sixth St. West Sacramento. 916-372-0200</p> <p><b>Transportation</b></p> <p><b>Davis Community Meals and Housing:</b> Offers transportation arrangements. M-F 8am-2pm. 1111 H St. Davis. 530-753-4008  <b>Dignity Health:</b> Bus vouchers for disabled seniors 60+. M-F 8am-4pm. 20 N. Cottonwood St. Woodland. 530-669-3700  <b>Shores of Hope:</b> Transportation for individuals with disabilities and women with children for health services, employment, &amp; to/from adult day programs. M-F 6am-4:30pm 110 6th St. West Sacramento. 916-372-0200</p> <p><b>Substance Abuse</b></p> <p><b>*Fourth &amp; Hope:</b> Alcohol &amp; drug treatment program. M-F 8:30am-5pm. 285 4th St. Woodland. 888-965-6647  <b>Cache Creek Lodge Inc.:</b> Alcohol &amp; drug treatment for men. M-F 8am-5pm. 435 Aspen St. Woodland. 530-662-5727</p>
<p><b>2-1-1 Yolo</b> is a 24/7, one-stop source for information on community, health, and social services for Yolo County. With a database of 2,000+ services, callers receive personalized information to match their needs. Bi-lingual specialists and access to a 24/7 interpreting service are available. Dial 2-1-1 today.</p>		

Back side of tri-fold Street Sheet

**YOLO COUNTY CIVIL GRAND JURY**

**WEST SACRAMENTO PORT COMMISSION**

***LEVERAGES REAL ESTATE ASSETS***



*-Photo Courtesy of Juror-*

*“Buy land, they’re not making it anymore”*  
*-Mark Twain*

**SUMMARY**

The City of West Sacramento assumed management of the Sacramento-Yolo Port (Port) in 2006 and in 2013 adopted a new business plan known as the West Sacramento Port Business Plan [1] (Business Plan), deploying a landlord operating model, with leases to operators of the Port's North Terminal maritime facilities as well as several other non-maritime leases. It was noted in the Business Plan that the Port holds a substantial amount of real estate at the North Terminal and off-site locations. These are not currently producing significant revenue. The plan recommended strategies to activate real estate assets to produce additional income and economic benefit for the Port and the City of West Sacramento.

In 2022, the West Sacramento Port Commission (Port Commission) approved an exclusive negotiating agreement and subsequently a purchase option agreement. This potential sale was the subject of a citizen complaint submitted to the Yolo County Civil Grand Jury (Grand Jury) and an article in the Sacramento Bee [2], making allegations that the Port Commission did not follow proper competitive bidding processes, did not properly exempt the land from the Surplus Land Act (SLA), and may have sold the land below market value. The Grand Jury researched the events leading to the purchase option agreement and found that while there were some irregularities in the process of the exclusive negotiating agreement and purchase

option, the overall process supported the stated objective of the Port Commission and the City of West Sacramento to promote the economic development of West Sacramento and the region.

## **BACKGROUND**

The Port was formed in 1947 and opened in 1963 with the creation of a 40 mile Deep Water Ship Channel stretching from the Suisun Bay to West Sacramento. It largely serves the agricultural and construction sectors in Northern California with rice being its primary export cargo and cement its primary import cargo. The City of West Sacramento assumed management responsibility of the Port in 2006. It was then renamed the Port of West Sacramento and is governed by the West Sacramento Port Commission. The Port Commission is comprised of four members appointed by the West Sacramento City Council and one member appointed by the Yolo County Board of Supervisors (BOS), with all members required to be West Sacramento residents.

The business plan adopted by the Port Commission in 2013 explicitly identified the following mutual objectives of the Port and the City of West Sacramento to include:

1. Achieving revenue stability for the Port and West Sacramento
2. Making and attracting strategic investments to develop real estate and new businesses
3. Promoting long-term economic sustainability
4. Promoting economic development of West Sacramento and the region

The most significant real estate asset belonging to the Port is the 260-acre Seaway International Trade Center property located across from the “Deep Water Ship Channel” from the North Terminal (map 1). In its 2013 Business Plan, the Port Commission recognized that “while a focused amount of work will be required to advance Seaway’s development, the property is arguably the Port’s most valuable and promising asset with the most long-term economic benefit for the City”. The sale and development of this property has been under negotiation for several years and this potential sale became the subject of a citizen complaint and an article in the Sacramento Bee. The complaint alleged the Port Commission did not follow proper competitive bidding processes, that the land was not properly exempted from the Surplus Land Act (SLA), and the land may have sold below market value.



**Map 1** showing the Seaway property comprised of 4 quadrants and located across the Deep Water Ship Channel from the North Terminal in the Port of West Sacramento.

(Photo credit: From the “Port of West Sacramento Business Plan”, March 2013, map #2)

## APPROACH

The Grand Jury reviewed publicly available information including Port Commission Meeting minutes, option agreements, property legal descriptions, purchase and sale agreements, City of West Sacramento memoranda, Port Commission agenda reports and the complainant’s submission. Several individuals were interviewed regarding Port operations, policies, and practices. The complainant was interviewed as well as persons in relevant government positions.

## DISCUSSION

### Real Estate Development Negotiations

The Seaway property has been the subject of active real estate negotiations since, at least, Dec. 5, 2018. An Exclusive Negotiating Agreement (ENA) was approved by the Port Commission to authorize the Port Commission’s Chief Executive Officer (CEO) to negotiate a purchase agreement with TC No. Cal Development, Inc. This ENA was for 14 acres on the northeast quadrant of the Seaway property, specified a negotiation period of 90 days and required a negotiation fee of \$50,000 from the developer with 50% refundable if a Purchase and Sale Agreement (PSA) was not concluded. A PSA was not agreed upon. The Grand Jury learned through interviews that the use of an ENA is a generally accepted approach to complex land development negotiations and allows each entity (seller and buyer) to specify detailed requirements.

In 2022, the Seaway property was the subject of another ENA with Smart Growth Investors II L.P.; however, the Grand Jury did not find a public record approving this ENA. The ENA was referenced in a purchase option agreement that was approved by the Port Commission on October 5, 2022, which indicated the ENA had been approved in March 2022. The 2022 purchase option agreement between the Port of West Sacramento and Smart Growth Investors II L.P. was authorized under Port Commission Resolution 22-4 on October 5, 2022. This resolution authorized the Port CEO to execute the purchase option agreement and certified a finding that the 71.94-acre Seaway property was exempt from the Surplus Land Act (SLA). If the Seaway land is not exempt from the SLA, the land must first be offered for sale or lease to other government agencies or non-profits before an offer for commercial use could be made. Port staff concluded the property to be exempt from the SLA because “the sale of the property had been contemplated as part of the Port’s business plan since at least 1995” [3]. Although the rationale of the staff analysis may be correct, the Grand Jury learned that such an exemption (see glossary of terms) from the SLA could not be simply certified by the Port Commission but required review and certification by the Department of Housing and Community Development (HCD) and such an exemption required renewal preceding any potential new transactions. Such an exemption from HCD appears not to have been sought or approved.

### **Competitive Bidding Processes**

The complaint suggested the Port Commission did not follow proper competitive bidding processes. The Grand Jury did not find any document requiring resort to a competitive bid process. The 2013 Port Business Plan did, however, include an appendix entitled “Request for Statements of Interest” which included a section on “Port Real Estate Development Opportunity Sites”, suggesting the possible development opportunities at the Port were well-known to the development community. The Grand Jury learned that the Port Commission made inquiries with the region’s major industrial real estate brokers (CBRE, Cushman Wakefield, Jones Lang Lasalle, and Collier) regarding interest among developers in the Seaway property. This again suggested that the possible real estate development opportunities at the Port of West Sacramento were well-known to the regional development community.

The Grand Jury was provided with a copy of the 1989 Sacramento-Yolo Port District Commission Policies Manual. The document provided guidance for the structure and procedures of the Port Commission, procedures for procurement of materials and supplies, and maritime and non-maritime land development. It did not, however, address processes or provide guidance in real estate development for the purpose of regional economic development. The Policies Manual was last revised in 1997, still pre-dating the transfer of the Port management to the City of West Sacramento in 2006. The manual is seriously out-of-date and provided no help in this investigation.

### **Land Sale Below Fair Market Value**

The suggestion was that the sale contemplated in the 2022 option agreement was well below market value. The Grand Jury explored this in considerable detail. This was not a typical land sale which would allow any commercial use, such as regional warehouse distribution centers. Instead, the option agreement explicitly called for development that was comprised of up to “One million square feet of building area occupied by manufacturing, research and

development, laboratory and/or office uses”. It was further anticipated the development timeframe would be five to 10 years and ultimately have an assessed value of \$200M, generating approximately \$1M in property tax revenue. It also anticipated the jobs created in the West Sacramento region could have a significant economic impact. Thus, the “market value” of the land sale was not simply evaluated in the cash transaction but in the valuation of future economic development. It recognized the developer would be assuming a very high risk in making the required investment over an extended period and the terms of the agreement were intended to incentivize such investment. All of these components were contributing factors in the negotiation that resulted in the 2022 option agreement.

## **FINDINGS**

The Grand Jury makes the following findings:

- F-1 The West Sacramento Port Commission reported the Exclusive Negotiating Agreement (ENA) with Fulcrum-Bluerise was entered and recorded at their closed Board meeting in March 2022, but no record was found in the March 2022 minutes. The public was unaware that an ENA was being considered for this property and created a perception the Port Commission was not being transparent in their plans.
- F-2 In order for the West Sacramento Port Commission to proceed with the Purchase and Sale Agreement of the Seaway property as described in Resolution No. P22-4 of the Port Commission, adopted on October 5, 2022, the California Department of Housing and Community Development (HCD) must deem the property Exempt Surplus Property from the Surplus Land Act (SLA). The process described by law for the property to be exempt requires the Port Commission to apply to the HCD for approval and exemption. The Port Commission did not apply to HCD for the exemption, but simply declared in its Resolution that the property was exempt. Self-certification of exempt status is not sufficient as stated in the SLA. In the final stages of preparing this report, the Grand Jury learned that the Port Commission applied for an SLA exemption which was granted on March 27, 2024 [4].
- F-3 The Sacramento-Yolo Port Policies Manual of 1997 is out-of-date, does not include guidance on the sale of surplus land, and does not address strategies and policies for the sale and use of real estate properties.

## **RECOMMENDATIONS**

The Grand Jury makes the following recommendations:

- R-1 The West Sacramento Port Commission should ensure future land negotiations are transparently reported and post the amended minutes of the March 2022 meeting to report the Exclusive Negotiating Agreement (ENA) with Fulcrum-Bluerise. This should be completed by January 1, 2025.

- R-2 The West Sacramento Port Commission should post the SLA exemption from HCD, dated March 27, 2024, to a public site and linked to Resolution No. P22-4. This should be completed by September 1, 2024.
- R-3 The West Sacramento Port Commission should develop a new and updated Port Policies Manual to reflect actual Port practices and strategies envisioned in the 2013 Business Plan, specifically addressing strategies and policies for the sale and use of its real estate properties. This should be completed by January 1, 2025.

## **COMMENDATION**

The Grand Jury appreciates the California Department of Housing and Community Development (HCD) for explaining the Statewide Housing Plan and their role in holding jurisdictions accountable for meeting housing commitments and complying with State housing laws, including the Surplus Land Act (SLA).

## **REQUIRED RESPONSES**

Pursuant to Penal Code Sections 933 and 933.05, the Grand Jury requests responses to its Finding and Recommendations within 90 days as follows:

- West Sacramento Port Commission F-1, F-2, and F-3; and R-1, R-2, R-3

## **INVITED RESPONSES**

The Grand Jury also invites responses from the following individuals within 90 days:

- West Sacramento City Manager/Port CEO F-1, F-2, and F-3; and R-1, R-2, R-3
- Port General Manager F-1, F-2, and F-3; and R-1, R-2, R-3



## ACRONYMS and GLOSSARY OF TERMS

- ENA:** Exclusive Negotiating Agreement, is an agreement entered into between an agency and a private developer whereby the parties agree to negotiate for a set period of time, and to refrain from negotiating with others, for the development of a particular site.
- HCD:** California Department of Housing and Community Development is a department within the California Business, Consumer Services and Housing Agency that develops housing policy, develops, and enforces building codes and administers affordable housing programs.
- PSA:** Purchase and Sale Agreement is a binding legal contract between two parties that obligates a transaction to occur between a buyer and seller and is typically used for real estate transactions.

### **Sacramento-Yolo Port:**

The original name of the Sacramento deep water port. The City of West Sacramento assumed management of the port in 2006 and it was renamed the West Sacramento Port. Both names continue to be used interchangeably.

- SLA:** “Surplus Land Act” is California law (Government Code sections 54220-54234). “Surplus land means land owned ... for which a local agency’s governing body takes formal action at a regular public meeting declaring land to be surplus and not necessary for a local agency’s use. The land must be declared either “surplus” or “exempt surplus” as supported by written findings before a local agency may take any action to dispose of it consistent with an agency's policies or procedures.”

### **Notice of Exemption Determination:**

A local agency determines a property is exempt from the SLA and supports such a determination with written findings and provides a copy of the written determination to HCD at least 30 days prior to disposition. [5]

## ENDNOTES

- [1] <https://www.scribd.com/document/335485031/Port-Business-Plan>
- [2] Planned West Sacramento advanced manufacturing facility could create thousands of jobs, Sacramento Bee, March 29, 2024, <https://www.sacbee.com/news/business/article276645321.html>
- [3] October 5, 2022, Port Commission minutes: <https://www.cityofwestsacramento.org/home/showpublisheddocument/16214/638221778652100000>
- [4] <https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/HAU/sacramento-yolo-port-district-exempt-review-032724.pdf>
- [5] Authority cited: California Government Code Section 54230, subdivision (c), Section 54230.5, subdivision (b)(2)(D). Reference cited: Government Code Section 50569,

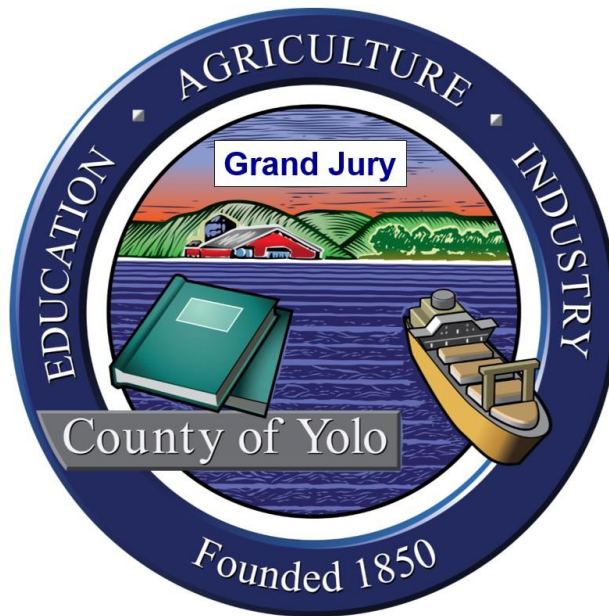
Section 54221, Section 54222, Section 54230.5, Section 54233, Section 54233.5, Section 65400

**DISCLAIMER**

This report was issued by the Grand Jury with the exception of a juror who had personal friendships with several community members in West Sacramento. This juror did not participate in any aspect of the investigation, including interviews and deliberations, or the writing and approval of this report.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.

# COMPLIANCE REPORT



## COMPLIANCE REPORT

### A Compliance Review of the 2022-2023 Yolo County Civil Grand Jury Investigative Reports



-Stock Photo-

*“Silence is compliance, and not saying  
anything means you are okay with what is going on”  
-Porsha Williams*

#### SUMMARY

As stated in the Introduction, recommendations from a civil grand jury are not binding on the public agency being investigated. Grand jury investigations have little value unless recommendations are taken seriously by responding entities and are presented to the public in a transparent manner. During a one-year term of service, the Yolo County Civil Grand Jury (Grand Jury) completes multiple investigations addressing various issues affecting Yolo County. Reports are written and published with findings and recommendations and include due dates for responses from the entities investigated. Because the term of each grand jury is limited, tracking of responses becomes the responsibility of subsequent grand juries. The 2023-2024 Grand Jury sought to determine the level of response of each agency investigated by the Grand Jury in 2022-2023. The full 2022-2023 report can be found at [www.yolocounty.org/living/grand-jury/grand-jury-reports-including-the-agency-responses](http://www.yolocounty.org/living/grand-jury/grand-jury-reports-including-the-agency-responses). [The 2023-2024 Grand Jury reviewed each agency and public officials’ responses](#) to ensure that all the required or invited responses were received and to verify if the responses met the intent of the findings and recommendations.

#### BACKGROUND

California Penal Code (PC) Section (§) 933(a) requires the Grand Jury to “submit to the presiding judge of the Superior Court a final report of its findings and recommendations that pertain to county public agency matters during the fiscal or calendar year.” Governing bodies are invited to respond to the findings and recommendations pertaining to matters under their control within 60 days of the release of a Grand Jury’s report. Elected county officers and agency heads are required to respond to the findings and recommendations pertaining to matters under their control within 90 days.

## APPROACH

- Reviewed the California Penal Code Sections relevant to report responses, findings and recommendations
- Reviewed the 2022-2023 Yolo County Grand Jury reports and responses
- Communicated with several responding agencies after reviewing the replies

## DISCUSSION

The 2022-2023 Consolidated Report consisted of seven investigative reports, which are as follows:

- Are We There Yet? On the Road to School Safety
- Safety is in the Eye of the Beholder, Concerns About Yolo High School
- The Forest for the Trees, City of Davis
- Yolo County Public Cemeteries
- Meeting their Obligations, Yolo County Detention Facilities
- Safe and Secure, Yolo County Elections Office
- Keeping Families Together, Yolo County Child Welfare Services

Most of the agencies responded by the due dates, acknowledged the Findings in the reports, and submitted responses as required. The Grand Jury commends the agencies for responding by the requested deadlines.

The following three agencies didn't respond by the required due date(s):

- Esparto Unified School District - Responded after the third request and the status of the review is outlined below under "SUBJECT/TITLE: ARE WE THERE YET, ON THE ROAD TO SCHOOL SAFETY: Esparto Unified School District."
- Two (2) public cemeteries (Capay and Knights Landing) - A brief overview is provided below under "SUBJECT/TITLE: YOLO COUNTY PUBLIC CEMETERIES."

If the entities responded that the recommendations were implemented and/or would be in the future, verification was requested of the implementation and/or status of the recommendation. As referenced above, the agency responses, as well as the follow-up responses, can be found at [www.yolocounty.org/living/grand-jury/grand-jury-reports](http://www.yolocounty.org/living/grand-jury/grand-jury-reports).

The 2023-2024 Grand Jury, as part of the Compliance Report, is focusing only on significant findings and recommendations based on the follow-up responses as presented below.

<b>ARE WE THERE YET, ON THE ROAD TO SCHOOL SAFETY</b> <b>Davis Joint Unified School District (DJUSD)</b> <b>Follow-up to the 2022-2023 Response</b>
<p><b>R-1 (Safety):</b> The Grand Jury recommends that, prior to the start of the 2024-25 school year, each school district identify additional hardening approaches and develop a plan to further protect areas of its schools that remain vulnerable.</p>
<p><b>DJUSD:</b> <i>“When considering school safety, the District considers three primary drivers for school safety, which we believe cannot be viewed in isolation; 1) safety related policies, 2) safety related practices, and 3) safety related physical infrastructure and technology. In the District response, we stated that “To maintain security during school hours, the District has implemented adequate policies and continues to work closely with local law enforcement agencies” as an acknowledgement of the multifaceted reality of school safety.”</i></p>
<p><b>R-3 (Signage):</b> Prior to the start of the 2024-25 school year, each school district should evaluate and improve signage for all of its schools, so that visitors can easily find the school’s office to register upon their arrival.</p>
<p><b>DJUSD:</b> <i>“Additional signage needs have been identified throughout the District.”</i></p>

**Findings by the 2023-2024 Grand Jury:**

- F-1 DJUSD stated that it has implemented additional safety measures to some degree in the response to the 2022-2023 Grand Jury Investigative Report. It is unclear from the response what these specific safety measures are and what has been implemented to date.
- F-2 The 2022-2023 Grand Jury Investigative Report listed a finding regarding lack of signage on DJUSD campuses. This was particularly important safety feature for DJUSD since several campuses share open spaces or parking lots to which the public has free access. Though DJUSD responded that signage needs have been identified, there was no implementation schedule provided to the Grand Jury.

**Recommendations by the 2023-2024 Grand Jury:**

- R-1 By October 1, 2024, DJUSD should submit a written report to the Grand Jury that they have established a plan on additional hardening measures, what those measures are, and an implementation schedule.
- R-2 The California Education Code mandates all school districts require visitors to report to a school’s office upon arrival and wear identification while on school campuses. Signage should be a priority for all DJUSD school sites especially since DJUSD schools share open public spaces. Though DJUSD states it has identified signage needs, the school district should improve the signage on all campuses prior to the start of the 2024-2025 school year and report to the Grand Jury by October 1, 2024.

**REQUIRED RESPONSES**

Pursuant to Penal Code Section(s) 933 and 933.05, the Grand Jury requests responses to its Finding and Recommendations within 60 days as follows:

- Board of Education/Trustees Davis Joint Unified School District F-1, F-2; and R-1, R-2

<p><b>ARE WE THERE YET, ON THE ROAD TO SCHOOL SAFETY</b>  <b>Esparto Unified School District (EUSD)</b></p> <p>Note: As the EUSD hadn’t responded by late October 2023, a reminder letter was mailed requesting a response. With still no response by December 2023, another letter was sent and the school district did respond by January 23, 2024. EUSD claimed the investigative report from the 2022-2023 Grand Jury was never received as well as the October 2023 letter from the 2023-2024 Grand Jury.</p> <p style="text-align: center;"><b>Follow-up to the 2022-2023 Response</b></p>
<p><b>R-1 (Safety):</b> The Grand Jury recommends that, prior to the start of the 2024-25 school year, each school district identify additional hardening approaches and develop a plan to further protect areas of its schools that remain vulnerable.</p>
<p><b>EUSD:</b> <i>“We were directed by the RTAC team that provided the assessment to keep the document internal and not provide copies to others. However, please feel free to come and view the Elementary Assessment in our office. The middle school and high school assessments were done internally. This list was prioritized by our District Safety Committee and our First Responders Partnership.”</i> Note: The EUSD submitted the prioritized list to the Grand Jury.</p>

**Findings by the 2023-2024 Grand Jury:**

- F-1 The Grand Jury finds safety measures should be further implemented for all campuses. For example, while visiting on other matters, three 2023-2024 Grand Jury members were able to easily walk onto the high school campus without staff promptly stopping the entry of the members. Safety measures on the high school campus are still lacking as it relates to locking of gates and doors leading into the classrooms.

**Recommendations by the 2023-2024 Grand Jury:**

- R-1 The EUSD should identify and implement additional hardening measures at all campuses within the school district to further protect areas of the schools that remain vulnerable prior to the start of the 2024-2025 school year and report safety measures taken to the Grand Jury by October 1, 2024.

**REQUIRED RESPONSES**

Pursuant to Penal Code Section(s) 933 and 933.05, the Grand Jury requests responses to its Finding and Recommendations within 60 days as follows:

- Board of Education/Trustees Esparto Unified School District F-1 and R-1

<b>YOLO COUNTY PUBLIC CEMETERIES</b>
<b>Capay Cemetery District</b>
<p><b>R-6 (Website):</b> The Grand Jury recommended to the District that they should establish a website, by January 1, 2024. The Grand Jury didn't receive a response and with the assistance of the office of the 5<sup>th</sup> District Board of Supervisor, Angel Barajas, the Grand Jury was finally able to reach out to one of the Board Members. The member did state they will be adopting a resolution to claim hardship on establishing a website, as the District has limited funding and staff. The Grand Jury verified the trustees will adopt a resolution claiming hardship.</p>

**Findings by the 2023-2024 Grand Jury:**

- F-1 The Capay Cemetery District is out of compliance with state law (Government Code sections 6270.6 and 53087.8) requiring independent special districts in California either maintain a website by January 1, 2020, or adopt an annual hardship resolution.

**Recommendations by the 2023-2024 Grand Jury:**

- R-1 The Capay Cemetery District should establish a website or adopt a hardship resolution by September 1, 2024.

**REQUIRED RESPONSES**

Pursuant to Penal Code Section(s) 933 and 933.05, the Grand Jury requests responses to its Finding and Recommendations within 60 days as follows:

- Capay Cemetery District Board of Trustees F-1 and R-1



<b>YOLO COUNTY PUBLIC CEMETERIES</b>
<b>Knights Landing Cemetery District</b>
<b>R-6 (Website):</b> The Grand Jury recommended to the District that they should adopt a website by January 1, 2024, as required under State Law. The Grand Jury contacted the office of YCBOS Angel Barajas, and the Grand Jury were notified that since the District is going through a transition and welcomed new members in February 2024, they will then have an opportunity to approve a hardship resolution. The Grand Jury will be asking for an update on the hardship resolution.

**Findings by the 2023-2024 Grand Jury:**

F-1 The Knights Landing Cemetery District is out of compliance with state law (Government Code sections 6270.6 and 53087.8) requiring independent special districts in California either maintain a website by January 1, 2020, or adopt a hardship resolution annually.

**Recommendations by the 2023-2024 Grand Jury:**

R-1 The Knights Landing Cemetery District should establish a website or adopt a hardship resolution by September 1, 2024.

**REQUIRED RESPONSES**

Pursuant to Penal Code Section(s) 933 and 933.05, the Grand Jury requests responses to its Finding and Recommendations within 60 days as follows:

- Knights Landing Cemetery District Board of Trustees F-1 and R-1