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CACHE CREEK CASINO • DEPARTMENT OF EMPLOYMENT & SOCIAL SERVICES

Section 10.8.1 of the amended State compact requires the Yocha Dehe Wintun Nation to prepare a Tribal Environmental Impact Report (TEIR) for a proposed casino project. The TEIR must clearly describe and identify all “direct and indirect significant effects on the off-reservation environment” of the proposed project and identify “feasible measures which could minimize significant adverse effects ....” The Board of Supervisors values all input related to distribution of mitigation funds and can consider the Grand Jury’s recommendation in future policy discussions. Per the 2002 intergovernmental agreement, the Board of Supervisors has the discretion to set policies and make final decisions on how current mitigation funds are allocated.

- 10-07** *“When meetings resume, initiate taking minutes at Tribe-Council 2 x 2 meeting to ensure accountability and transparency.”*

**While implementation of this recommendation requires negotiation with the sovereign entity, Yocha Dehe Wintun Nation, the matter can be part of the future discussions.**

The County does publicly notice Tribe-County 2x2 and other 2x2 meetings. No formal actions are taken at these discussions, therefore minutes are not required. This is the case at all 2x2s.

- 10-08** *“Monitor and participate in the national debate regarding fee-to-trust conversions with an eye toward ensuring that Yolo County maintains its tax base and enhances the rural, agrarian nature of Capay Valley.”*

**Implementation of this recommendation is ongoing.**

The County of Yolo is well represented in the national debate regarding fee-to-trust conversions and other tribal-related matters. Yolo County Supervisor Mike McGowan chairs the California State Association of Counties (CSAC) Indian Gaming Work Group and co-chairs the National Association of Counties (NACo) Native American Affairs Subcommittee.

**Yolo County Department of Employment and Social Services**

- F-1** *“The DESS “by exception” method of time keeping can engender fraud, either accidental or intentional.”*

**The respondent agrees with the finding.**

The County’s current voluntary system of time tracking does not prevent misrepresentation of time reporting. While no system is 100% accurate, the County has reviewed software which would minimize the amount of discrepancy between actual time worked and time reported. Funding for this system is being investigated.

There is no evidence to support that vacation and sick leave times were misrepresented. The Grand Jury was furnished with supporting documentation that explained the reporting procedures used when employees are on disability leave. Each pay period, employees earn leave time and are paid for that leave time. This is in accordance with County policies and procedures. The Grand Jury was provided with evidence that an

DEPARTMENT OF EMPLOYMENT & SOCIAL SERVICES

employee who was credited with working part-time, did in fact work part-time, based upon a modified duty release from the employee's doctor.

- F-2** *"If properly used and managed, the new electronic time keeping system should help to reduce misuse of time reporting."*

**Auditor-Controller's response sent under separate cover August 2, 2010:** We agree with this finding. The Auditor-Controller has always advocated the use of time sheets with supervisory approval as a countywide timekeeping method. This system reduces abuse and errors in time reporting. However, certain county departments have chosen the less burdensome method of reporting time by exception, which is more prone to abuse and errors.

The electronic timekeeping system that the county was considering would help to reduce misuse of time. However, due to current severe budget constraints, this plan is on hold. As an alternative, the County Information Technology Department is developing and piloting an absence management program which may be useful to DESS.

- F-3** *"The arbitrary allowance of paid time for non-work related activities suggests favoritism and may be a misuse of public funds."*

**The respondent disagrees with the finding.**

There is no evidence that non-work-related activities were performed by non-exempt employees during paid time. Employees are entitled to perform purchasing activities during paid hours as long as purchases are work-related. While there is no evidence exempt employees took inordinately long lunch breaks, there is no restriction on the amount of time taken for lunch by an exempt employee. It is the acknowledged responsibility of department heads and managers to ensure that FLSA (Fair Labor Standards Act) exempt employees are performing their duties.

- F-4** *"The CAO and DESS have not enforced rules for the use of XTE, telecommuting, and cellular phone use."*

**The respondents disagree with the finding.**

For purposes of a response, it is assumed this finding relates to the County's Extra Time Off (XTO) program. This program allows employees to schedule unpaid time off.

There have been no reports or evidence of violations of County policies covering XTO, telecommuting or cellular phone use. The Department of Employment & Social Services (DESS) discontinued the use of the formal telecommuting program during the 2008/09 fiscal year.

The Fair Labor Standards Act (FLSA) governs these issues and would prevent the partial-day deduction of an exempt employee's wages. Requiring exempt employees to report hourly would be in violation of the FLSA. An exempt employee "telecommuting by cellular phone" would not be a violation of County policies and procedures for exempt employees so long as the employee is performing his or her required work.

DEPARTMENT OF EMPLOYMENT & SOCIAL SERVICES

**F-5** *“HR did not exercise due diligence regarding the MQ for newly-hired or transferring DESS employees.”*

**The respondents disagree with the finding.**

Human Resources (HR) is regularly audited by Merit System Services, a branch of the California Personnel Services Agency. Their audits have found no violations of the County’s hiring or transfer practices for the Department of Employment & Social Services (DESS).

**Auditor-Controller’s response sent under separate cover August 2, 2010:** This finding pertains to an area outside of the purview and expertise of the Auditor-Controller. The County Human Resources Department is responding to this finding.

**F-6** *“Proposed employee layoffs do not include written criteria and input from all ELT and the employee supervisors.”*

**The respondents agree with the finding.**

Budget decisions are the responsibility of the Director of the Department making recommendations to the County Administrator who then makes recommendations to the Board of Supervisors. These recommendations are used in making final budgetary determinations. Once the allocated positions are reduced in order to meet budgetary constraints, the Human Resources department implements layoffs based upon the written criteria outlined in bargaining unit contracts. Written criteria include a process for appeal; they do not include a process whereby a supervisor has any discretion or provides input as to which employees should be laid off. It is primarily by seniority in classification.

**F-7** *“Within the department, there is a perception of favoritism concerning job and client assignments.”*

**The respondents agree that employee perceptions present ongoing management challenges.**

Supervisors have the authority to set employee workloads and assignments and due to employee layoffs, adjustments have been necessary. The County has a process in place for reporting disparate treatment. No reported problems have been brought to the attention of the Department. Workload and efficiency are areas of paramount interest and ongoing analysis and evaluation.

**F-8** *“At the time of the interviews, the policy regarding listing of at-will employees had not been followed.”*

**The respondents disagree with the finding.**

All Department of Employment & Social Services (DESS) at-will positions were included in the Board-approved At-Will Resolution for all of 2009/10. There were no changes made during the period of layoff and there have been no changes for DESS classifications for the past three years.

DEPARTMENT OF EMPLOYMENT & SOCIAL SERVICES

**F-9** *“DESS has not followed its written policy regarding employee performance evaluations.”*

**The respondent disagrees with the finding.**

Please see the response to 10-15 for additional evidence that the Department of Employment & Social Services (DESS) policy for evaluations has in fact been substantially followed.

**F-10** *“Copies of the evaluations are not readily available to the employee.”*

**The respondent disagrees with the finding.**

Copies of evaluations are readily available in each employee’s official personnel file in Human Resources. Employees are given copies of their evaluation and any employee who wishes an additional copy may contact Human Resources. Departments are not required to maintain a separate file with extra copies of evaluations. Human Resources reports there have been no requests for copies of evaluations which they were unable to grant.

**10-9** *“Follow proper procedures for recording XTE and XTO.”*

**The recommendation has been implemented.**

County employees request and are subsequently granted a specified quantity of unpaid time off, i.e. XTO. The County has found no evidence of improper recording of XTO. XTO is recorded in the same manner as any other available leave. No errors in recording the use of this leave in the Department of Employment & Social Services have been identified to date. Should an error be discovered by either an employee or an auditor, the remedy will be to immediately rectify the employee record and adjust the employee work schedule accordingly.

**10-10** *“Conduct an audit regarding DESS use of XTE.”*

**Auditor-Controller’s response sent under separate cover August 2, 2010:** We agree with this recommendation and have added this audit task to the countywide payroll audit which is in progress and scheduled to be completed in September 2010.

**10-11** *“Stop allowing paid work time for non-work activities.”*

**The recommendation has been implemented.**

Employees are allowed work-related purchase time and are not paid work time for non-work activities.

**10-12** *“Enforce the written rules for cellular phone use and telecommuting.”*

**The recommendation will be implemented.**

DEPARTMENT OF EMPLOYMENT & SOCIAL SERVICES

The Department of Employment & Social Services discontinued the use of the telecommuting program during the 2008/09 fiscal year.

**Auditor-Controller's response sent under separate cover August 2, 2010:** This recommendation pertains to an area outside of the purview and expertise of the Auditor-Controller. The County Administrator is responding to this recommendation.

- 10-13** *"Enforce HR and BOS policy listing at-will employees."*

**The recommendation has been implemented.**

The Board of Supervisors will continue the review and publication of all at-will employee positions.

- 10-14** *"Enforce MQ requirements listed in county job descriptions before approving the hiring of employees (whether new hires, transfers, or promotions). HR should not allow individual departments to make changes to the requirements without BOS approval."*

**The recommendation has been implemented.**

Human Resources (HR) strictly enforces adherence to the minimum qualifications (MQ) requirements of a classification for all new hires. Every two years, HR policies and procedures are audited by Merit System Services and there have been no adverse audit findings. Departments are not allowed to make changes to the MQ requirements of a classification. In the past, departments were able to approve transfer requests without the involvement of HR. That is no longer part of the promotion process. In reviewing incumbents in management positions at the Department of Employment & Social Services, there are no incumbents who did not meet the MQs at the time of appointment to their position whether from promotion or new hire.

- 10-15** *"Conduct employee performance evaluations as required by County policy."*

**The recommendation has been implemented and the Department will strive for 100% compliance.**

Employee performance evaluations are conducted in accordance with County policy. A listing of the evaluations for Department of Employment & Social Services employees shows there are less than 1% of employee evaluations past due and no evaluations are more than one year past due.

The County strives to have all evaluations delivered in a timely manner. Transfers and employee leaves can often delay delivery of evaluations. Evaluations are not part of the layoff process. The lack of an evaluation would have no bearing on a layoff, transfer, demotion or promotion.

- 10-16** *"Perform a cost-benefit analysis regarding fraud amount exclusions and amend the MOU to establish policy."*

**The recommendation has been implemented.**

For many years prior to 2009, the Department of Employment & Social Services (DESS) had funded a dedicated prosecutor within the District Attorney's (DA) office that handled all welfare fraud cases regardless of the dollar amount of the loss. Since 2009, DESS has been unable to fund a dedicated welfare fraud prosecutor. As a result, all potential fraud cases are now referred to the general prosecution unit in the DA's office. Due to limited staff and resources, the DA set a loss threshold to limit the number of cases that actually resulted in prosecution. The threshold was set at an amount that was/is consistent with other District Attorney offices.

On average, it takes approximately 15 hours to investigate an alleged fraud at an employee cost of \$1,015. The average time it takes to review the case, file charges and prosecute can be as low as five hours or as high as 120 hours which would represent an employee cost of \$9,900. These are strictly the costs of the main employee contact for investigating or prosecuting. It does not include supplies, overhead or support staff. Based on these expenses, the cost benefit analysis demonstrated that it is generally not reasonable to pursue lower-dollar-amount fraud cases.

Currently the DA and the Director of DESS maintain the flexibility to address issues of fraud regardless of the dollar amount. The approach to date has been reasonable and has provided the maximum amount of flexibility.

#### **Yolo County Juvenile Detention Facility**

**10-23** *“Provide mesh wash sacks to detainees so they may keep track of clothing originally allocated to them, and to give the detainee a sense of ownership and self respect.”*

**The recommendation can not be implemented due to safety and resource concerns.** (Note: separate response previously provided by F. Ray Simmons, Superintendent, Juvenile Detention Facility under separate cover dated August 3, 2010)

While maintaining a sense of ownership of clothing is a legitimate concern for minor detainees, the recommendation is not practical in Yolo County largely due to the fact that the clothing of minors is laundered by jail inmates at the jail. The use of mesh sacks would not ensure the same clothing returns to the minors. Further, because all clothing has to be thoroughly searched upon return from the jail laundry facility, use of mesh wash sacks would significantly increase the time spent opening each individual bag to search and replace clothing.

#### **Monroe Detention Center**

**10-24** *“The county should pursue additional federal and state funding for jail expansion to keep up with the county’s population growth.”*

**This recommendation has been implemented and the County continues to pursue additional funding.**

In 2008, Yolo County applied for Assembly Bill 900 funding to expand the jail. \$30 million was awarded contingent upon siting of a re-entry facility for those leaving state prison and returning to Yolo County. Ultimately, the siting agreement with the State was

YOLO COUNTY JUVENILE DETENTION FACILITY • MONROE DETENTION CENTER

revoked due to considerable obstacles associated with the chosen site and the significant possibility that the County wouldn't receive the awarded \$30 million due to the State's budget situation at the time.

The County may continue to seek funding for a jail expansion, but at this time, budget constraints make it prohibitive to staff an expanded jail. The County's current population and the recent decrease in criminal activity in the county do not support a near-term jail expansion.

However, potential State budget actions which may increase the number of prisoners serving time at the local level will certainly require re-evaluation.

- 10-25** *"To reduce recidivism the county should consider seeking partnerships to provide additional educational and training programs for inmates."*

**This recommendation has been implemented.**

Currently inmates are offered a variety of education and training programs intended to reduce recidivism, many through partnerships with other agencies. Most programs are funded through the Inmate Welfare Fund. The General Education Diploma program is offered to inmates in partnership with the Woodland Public Library's literacy program. Inmates also have training opportunities in the kitchen and laundry and with the facility maintenance and landscape crews.

Anger management and parenting programs are offered through an independent contractor. Drug and alcohol treatment is offered by the Yolo County Department of Alcohol, Drug & Mental Health as well as through Narcotics Anonymous, Alcoholics Anonymous and various religious organizations. The Sexual Assault and Domestic Violence Center provides domestic violence training. Lastly, through the jail medical program contract, relaxation therapy and administrative segregation socialization programs are provided to inmates.

Further expansions of programs to reduce recidivism could be possible should additional resources become available.

YOLO COUNTY DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES



# County of Yolo

www.yolocounty.org

## AUDITOR-CONTROLLER

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HOWARD H. NEWENS, CIA, CPA

AUDITOR-CONTROLLER and  
TREASURER-TAX COLLECTOR

## TREASURER-TAX COLLECTOR

PO BOX 1995  
WOODLAND, CA 95776  
PHONE: (530) 666-8625  
FAX: (530) 666-8708

August 2, 2010

Honorable Janet Gaard  
Judge of the Yolo Superior Court  
1100 Main Street, Suite 300  
Woodland, CA 95695

Dear Judge Gaard:

***Response to the 2009-10 Grand Jury Final Report  
Regarding Yolo County Department of Employment & Social Services***

In its final report the 2009-10 Grand Jury has requested that the Yolo County Auditor-Controller respond to certain findings and recommendations pertaining to the Yolo County Department of Employment and Social Services (DESS).

Specifically, the Grand Jury requested responses to Findings F-2 and F-5 and Recommendation 10-12. We believe, and have informed the Foreman accordingly, that the request contains typographical errors and that we should respond to Finding F-2 and Recommendation 10-10.

***Finding F-2: If properly used and managed, the new electronic time keeping system should help to reduce misuse of time reporting.***

Auditor-Controller's Response. We agree with this finding. The Auditor-Controller has always advocated the use of time sheets with supervisorial approval as a countywide timekeeping method. This system reduces abuse and errors in time reporting. However, certain county departments have chosen the less burdensome method of reporting time by exception, which is more prone to abuse and errors.

The electronic timekeeping system that the county was considering would help to reduce misuse of time. However, due to current severe budget constraints, this plan is on hold. As an alternative, the County Information Technology Department is developing and piloting an absence management program which may be useful to DESS.

ASSURANCE OF ACCOUNTABILITY

YOLO COUNTY DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES

Honorable Janet Gaard  
August 2, 2010  
Page 2 of 2

**Finding F-5:** *HR did not exercise due diligence regarding the MQ for newly-hired or transferring DESS employees.*

Auditor-Controller Response: This finding pertains to an area outside of the purview and expertise of the Auditor-Controller. The County Human Resources Department is responding to this finding.

**Recommendation 10-10:** *Conduct an audit regarding DESS use of XTE.*

Auditor-Controller Response: We agree with this recommendation and have added this audit task to the countywide payroll audit which is in progress and scheduled to be completed in September 2010.

**Recommendation 10-12:** *Enforce the written rules for cellular phone use and telecommuting.*

Auditor-Controller Response: This recommendation pertains to an area outside of the purview and expertise of the Auditor-Controller. The County Administrator is responding to this recommendation.

We appreciate the opportunity to provide responses to the Grand Jury Final Report.

Sincerely,

Howard Newens  
Auditor-Controller and  
Treasurer-Tax Collector

Cc: Members, Yolo County Board of Supervisors  
Patrick Blacklock, Yolo County Administrator

ASSURANCE OF ACCOUNTABILITY

YOLO COUNTY JUVENILE DETENTION FACILITY

**RESPONSE TO GRAND JURY REPORT**

The governance of responses to the Grand Jury Final Report is contained in Penal Code §933 and §933.05. Responses must be submitted within 60 or 90 days. Elected officials must respond within sixty (60) days, governing bodies (for example, the Board of Supervisors) must respond within ninety (90) days. Please submit all responses in writing and digital format to the Advising Judge and the Grand Jury Foreperson.

Report Title: JUVENILE DETENTION FACILITY Report Date: 8/3/2010

Response by: F. RAY SIMMONS Title: SUPERINTENDENT

**FINDINGS**

I (we) agree with the findings numbered:

\_\_\_\_\_

I (we) disagree wholly or partially with the findings numbered:

\_\_\_\_\_

**RECOMMENDATIONS**

Recommendations numbered: \_\_\_\_\_  
have been implemented (attach a summary describing the implemented actions).

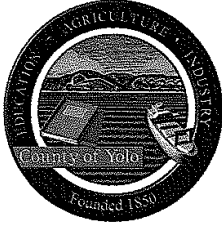
Recommendations numbered: \_\_\_\_\_  
require further analysis (attach an explanation of the analysis or study, and the time frame for the matter to be prepared by the officer or director of the agency or department being investigated or reviewed; including the governing body where applicable. The time frame shall not exceed six (6) months from the date of the Grand Jury Report).

Recommendations numbered: 10-23  
will not be implemented because they are not warranted and/or are not reasonable (attach an explanation).

Date: 8-4-10 Signed: 

Total number of pages attached 3 Total (Including this page.)

YOLO COUNTY JUVENILE DETENTION FACILITY • MONROE DETENTION CENTER



## County of Yolo

JUVENILE DETENTION FACILITY  
2880 EAST GIBSON ROAD  
WOODLAND, CA 95776  
PHONE: (530) 406-5300  
FAX: (530) 669-5802

ALTERNATIVE SENTENCING  
PROGRAM/TRANSPORTATION  
45 MATMOR ROAD  
WOODLAND, CA 95776  
PHONE: (530) 669-2331  
FAX: (530) 669-6622



COMMUNITY CORRECTIONS

MARJORIE RIST  
CHIEF PROBATION OFFICER

F. RAY SIMMONS  
SUPERINTENDENT  
PHONE: (530) 406-5306 FAX: (530) 669-3639  
Email: ray.simmons@yolocounty.org

BRYAN HOSKINS  
ASSISTANT SUPERINTENDENT  
PHONE: (530) 669-2333 FAX: (530) 669-6622  
Email: bryan.hoskins@yolocounty.org

August 3, 2010

Honorable Janet Gaard  
Judge of the Superior Court  
Department 15  
1100 Main Street, Suite 300  
Woodland, CA 95776

RE: Response to Grand Jury Report – 2009/2010  
Recommendations 10-23 and Findings F-1

Dear Judge Gaard:

This is in response to the 2009/2010 Grand Jury report Recommendation 10-23, "Provide mesh wash sacks to detainees so they may keep track of clothing originally allocated to them, and to give the detainee a sense of ownership and self respect." This will not be implemented because they are not warranted and/or are not reasonable for the following reasons:

1. The Yolo County Juvenile Detention Facilities is compliant with Title 15, Minimum Standards for Juvenile Facilities, for Clothing Exchange. Outer garments which include pants, sweaters, and shorts are exchanged on a minimum of a weekly basis or as needed if sooner. Undergarments to include underwear, sports bras, T-shirts, and socks are exchanged on a daily basis during showers or on an as needed basis if needed sooner. All clothing items are inspected regularly for stains and discarded if necessary. The detention facility outsources all its clothing laundering to the Yolo County Sheriff's Department (Monroe Detention Center) with the exception of female minors' underclothing which is laundered daily at the Juvenile Detention Facility in appropriate temperature and detergent. Careful inspection is made on all underclothings to check for stains and soiling in order to ensure removal from circulation and then discarded.
2. All clothing items issued to the minors are based on a collection of sized for the minor during the initial booking process. A clothing roster is kept in order to maintain adequate sizes for the minors when clothing is issued. All clothing rolls are prepared by staff that is familiar with the minors and are able to make

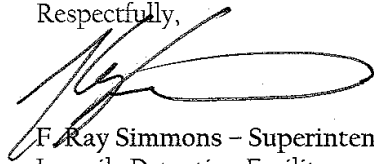
YOLO COUNTY JUVENILE DETENTION FACILITY • MONROE DETENTION CENTER

Judge Gaard – Response to Grand Jury Report 2009/2010  
Page 2, 8/3/2010

appropriate judgment regarding minors clothing sizes that are to be issued. All clothing shower rolls are individually labeled with each minor's name on it and is distributed to them during shower time on a daily basis. The clothing shower rolls consist of one towel, socks, undergarments, sports bra, a T-shirt and outer clothing. Minors are not given the option of selecting clothing items from a bulk pile of clothing as suggested in the Grand Jury Report Findings (F1). If a minor is unhappy with the fitting, condition, or has other issues with the clothing that was assigned to them, staff make reasonable efforts to provide the minor with an appropriate exchange within a reasonable timeframe. (In most cases minors request clothing which would be considered ill fitting such as extremely oversized clothing or extremely tight clothing. This is not appropriate dressing for the detention facility.)

If you would like additional information or would like to discuss this matter further, please do not hesitate to contact me at (530) 406-5306. Thank you.

Respectfully,



F. Ray Simmons – Superintendent  
Juvenile Detention Facility

cc: Marjorie Rist, Chief Probation Officer  
Bryan Hoskins, Assistant Superintendent  
[Grand-jury@sbcglobal.net](mailto:Grand-jury@sbcglobal.net) via electronic mail  
JDF Grand Jury Reports File



# First 5 Yolo

FIRST 5 YOLO



It's All About the Kids

August 12, 2010

**KAREN ZIEBRON**  
District 1

Honorable Janet Gaard  
Yolo Superior Court, Dept. 15  
1100 Main Street, Suite 300  
Woodland, CA 95695

**DONITA STROMGREN**  
District 2

RE: 2009/10 Grand Jury Final Report

**SUZANNE ANDERSON**  
District 3

Dear Judge Gaard,

**RICK BAKER, MD**  
District 4

The Yolo County Grand Jury visited First 5 Yolo Children and Families Commission on January 21, 2010. On June 28, 2010, we received a copy of their report. As requested in the Grand Jury's report, I am responding to their findings and recommendation.

**SUE HEITMAN, MSW**  
District 5

The Grand Jury listed four findings, F-1 through F-4, and made one recommendation: *The First 5 Board of Commissioners should resist the state's attempts to put Proposition 10 funds into its General Fund.* First 5 Yolo agrees with all four findings and the recommendation listed on page 24.

**HELEN THOMSON**  
Board of Supervisors

**KIM SUDERMAN, LCSW**  
Department of Alcohol, Drug & Mental Health

The Commission will continue to prioritize protecting Proposition 10 funds for the purpose in which they were intended to be used: To improve the health and well being of children ages 0-5 and their families. With great energy, the First 5 Yolo Commissioners have formally opposed each attempt by the legislature to redirect Prop 10 funds back to the state's general fund. Commissioners and the Yolo County Board of Supervisors have sent letters to legislators informing them of the impact that reducing or eliminating these funds would have on our local children. Commissioners have garnered support from members of the Board of Supervisors, parents of children who benefit from First 5 funds and our local grantees which provide desperately needed services; all of whom have testified at CA State Senate and Assembly hearings to educate legislators of the need to keep these precious funds at the local level.

**PAM MILLER, MSW**  
Department of Employment & Social Services

**JORGE AYALA, Ed.D.**  
Yolo County Office of Education

**JULIE GALLELO, MPH**  
Executive Director

We will continue to do everything we can to protect Prop 10 funds while working within the confines of the law.

403 Court Street  
Woodland, CA 95695  
PH: 530.669.2475  
FX: 530.669.2477  
E: [cfc@first5yolo.org](mailto:cfc@first5yolo.org)  
[www.first5yolo.org](http://www.first5yolo.org)

The First 5 Yolo Commissioners acknowledge the hard work of the Grand Jury and thank them for their interest in First 5 and the continuation of services for the county's youngest residents.

Respectfully,

Julie Gallelo  
Executive Director

cc: First 5 Yolo Commissioners

# **City of Woodland Fire Department**

CITY OF WOODLAND FIRE DEPARTMENT

RESPONSE TO GRAND JURY REPORT

The governance of responses to the Grand Jury Final Report is contained in Penal Code §933 and §933.05. Responses must be submitted within 60 or 90 days. Elected officials must respond within sixty (60) days, governing bodies (for example, the Board of Supervisors) must respond within ninety (90) days. Please submit all responses in writing and digital format to the Advising Judge and the Grand Jury Foreperson.

Report Title: Woodland Fire Department Report Date: June 30, 2010

Response by: Tod Reddish Title: Fire Chief

FINDINGS

I (we) agree with the findings numbered:

F-3 and F-4

I (we) disagree wholly or partially with the findings numbered:

RECOMMENDATIONS

Recommendations numbered: 10-27 (my response is included in the attached response by the Woodland City Council) have been implemented (attach a summary describing the implemented actions).

Recommendations numbered: \_\_\_\_\_ require further analysis (attach an explanation of the analysis or study, and the time frame for the matter to be prepared by the officer or director of the agency or department being investigated or reviewed; including the governing body where applicable. The time frame shall not exceed six (6) months from the date of the Grand Jury Report).

Recommendations numbered: 10-28 (my response is included in the attached response by the Woodland City Council) will not be implemented because they are not warranted and/or are not reasonable (attach an explanation).

Date: 8/23/10 Signed: Tod Reddish

Total number of pages attached 6

CITY OF WOODLAND FIRE DEPARTMENT

RESPONSE TO GRAND JURY REPORT

The governance of responses to the Grand Jury Final Report is contained in Penal Code §933 and §933.05. Responses must be submitted within 60 or 90 days. Elected officials must respond within sixty (60) days, governing bodies (for example, the Board of Supervisors) must respond within ninety (90) days. Please submit all responses in writing and digital format to the Advising Judge and the Grand Jury Foreperson.

Report Title: Woodland Fire Department Report Date: June 30, 2010

Response by: Woodland City Council Title: N/A

FINDINGS

I (we) agree with the findings numbered:

F-3 and F-4

I (we) disagree wholly or partially with the findings numbered:

F-1 and F-2

RECOMMENDATIONS

Recommendations numbered: 10-26 and 10-27 (see attached response) have been implemented (attach a summary describing the implemented actions).

Recommendations numbered: \_\_\_\_\_ require further analysis (attach an explanation of the analysis or study, and the time frame for the matter to be prepared by the officer or director of the agency or department being investigated or reviewed; including the governing body where applicable. The time frame shall not exceed six (6) months from the date of the Grand Jury Report).

Recommendations numbered: 10-28 (see attached response) will not be implemented because they are not warranted and/or are not reasonable (attach an explanation).

Date: 9/7/10 Signed:   
Artemio Pimentel, Mayor

Total number of pages attached 6

CITY OF WOODLAND FIRE DEPARTMENT



City of Woodland

CITY COUNCIL

300 FIRST STREET

WOODLAND, CALIFORNIA 95695

(530) 661-5800

FAX: (530) 661-5813

Artemio Pimentel, Mayor  
Marlin H. "Skip" Davies, Vice Mayor  
Jeff W. Monroe, Council Member  
William L. Marble, Council Member  
Martie L. Dote, Council Member

September 7, 2010

Honorable Janet Gaard  
Advising Judge to the Grand Jury  
Superior Court of California, Yolo County  
725 Court Street  
Woodland, CA 95695

Re: **City of Woodland Response to the 2009-2010 Grand Jury Report**

Dear Judge Gaard:

The City of Woodland has carefully reviewed and considered the Findings and Recommendations set forth in the "2009-2010 Yolo Grand Jury Committee Report, Investigations & Findings – Woodland Fire Department." This letter shall serve as the official responses of the City of Woodland and the Woodland Fire Chief (collectively, the "City") to the Findings and Recommendations of the Yolo County Grand Jury ("Grand Jury").

**FINDINGS**

**F-1. The fees charged are based on a national schedule provided by FRUSA. They are not determined by WFD.**

The City respectfully disagrees with this finding. The discussion supporting this finding alleges that (1) FRUSA is a national organization with satellite offices throughout the United States; (2) FRUSA's billing rates are based on a price schedule throughout the country; and (3) the actual cost of service is not taken into account.

First, FRUSA is a California limited liability company headquartered in Roseville, California. FRUSA provides billing services to a number of departments throughout the nation. Therefore, while the Grand Jury's discussion of FRUSA's organizational status is not incorrect, it is incomplete.

CITY OF WOODLAND FIRE DEPARTMENT

Second, the City submits that the Grand Jury's statement that FRUSA's billing rates are based on a national price schedule is incomplete and potentially misleading. While FRUSA has developed an estimated fee schedule for agencies to impose, each participating local agency sets its own rates. The fact that this estimated schedule was similar to the user fees imposed by the City is largely due to the fact that response costs are relatively similar throughout the nation. Moreover, the City did conduct a thorough review of its costs of providing these services and concluded that its actual costs exceeded those in the FRUSA model schedule. For administrative convenience, the City Council decided to use FRUSA's model schedule, even though the model schedule would recover less than 100% of the City's costs.

Third, the actual cost of service was taken into account when calculating the City's user fees. As discussed in more detail below, the City understands and appreciates that it may not charge a fee that exceeds the cost of providing the service for which it is imposed. The City carefully examined the estimated fee schedule provided by FRUSA and its actual cost of providing service. The City's fee schedule actually imposes fees that are lower than these costs.

**F-2. The fees are not in compliance with California Health and Safety Code Section 13916.**

The City respectfully disagrees with this finding, for two reasons. First, Health and Safety Code section 13916 simply does not apply to the City. This section authorizes fire protection districts to impose user fees for services they provide. As the City is a general law city and not a fire protection district, section 13916 has no bearing on the legality of the City's user fees.

However, even if section 13916 applied to the City, which it does not, the statute requires that fees not exceed the cost of providing the service for which they are imposed. To the extent that the Grand Jury finding was aimed at this requirement, the City's user fees do not exceed the cost of providing services for which they are imposed. While section 13916 is inapplicable, the City understands and recognizes that state law prevents it from charging fees that exceed the cost of providing the service for which they are imposed. As discussed above, the City carefully and thoroughly calculated its cost of service, and the user fees do not exceed these costs.

**F-3. WFD entered into the agreement with FRUSA without an open bidding process for companies offering similar services.**

The City agrees with this finding. The City executed its agreement with FRUSA without an open bidding process. However, the City notes that the Grand Jury correctly acknowledged in its report that professional services agreements are not required to undergo an open bidding selection process. When executing its agreement with FRUSA, the City Council determined that FRUSA was an industry leader in fire recovery billing with the expertise and resources necessary to provide the best possible service to the City at a low, market-level cost. In light of this determination, and in the absence of any statutory requirement to use a different process, the City opted to contract with FRUSA. The City is confident that the selection of FRUSA was both in full compliance with California law and has yielded effective and professional services at a competitive cost.

CITY OF WOODLAND FIRE DEPARTMENT

**F-4. The fee recovery program does not appear to be meeting its projected revenue.**

The City agrees with this finding. The City anticipated receiving \$167,000 from FRUSA during the 2009/2010 Fiscal Year. However, actual revenues were \$38,032.41 during that period. Of course, since the City cannot charge fees that exceed the City's costs of providing emergency responses by the Fire Department, there is very little the City can do to increase the revenue generated by the program. However, the City is satisfied with the revenue from the program, and will continue scrupulously monitoring the fees charged to ensure they are equal to or less than the City's costs for providing emergency responses.

**RECOMMENDATIONS.**

**10-26. That the City Attorney advise the City Council on the legality of the program.**

Response: The City Attorney advised the City Council and senior staff, including the Fire Chief, regarding the legality of the program at the time of its adoption and on numerous occasions thereafter. The City Attorney has advised that the program is legal, and nothing in the Grand Jury report compels a different conclusion.

Timing: Completed.

**10-27. That a fiscal analysis be made to determine whether or not the program is cost effective.**

Response: The City conducted a detailed fiscal analysis of the program prior to its adoption. While the projected revenue has not materialized, the program remains cost effective. There is no direct impact to the general fund from the program. All costs of FRUSA's services are paid out of the revenue collected from the user fees. While the City has incurred some costs for legal services provided in relation to the program, these costs are minimal when compared to the amount collected.

Timing: Completed.

**10-28. That the WFD use an open bid process for companies performing similar services.**

Response: The City will not implement this recommendation because it is unwarranted, unnecessary, and not required by law. As the Grand Jury noted, the City was not required to use an open bidding process prior to contracting with FRUSA. The City Council believed and continues to believe that FRUSA is an industry leader which provides exceptional service at a low, market-level price. Therefore, the City Council will not utilize an open bidding process for these services at this time.

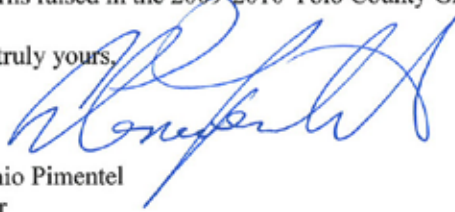
Timing: Not applicable.

CITY OF WOODLAND FIRE DEPARTMENT

**CONCLUSION**

The City welcomes and appreciates the Grand Jury's interest in the City's user fee program for emergency services. The City is confident that this letter effectively addresses the concerns raised in the 2009-2010 Yolo County Grand Jury Report.

Very truly yours,



Artemio Pimentel  
Mayor

cc: Members of the Woodland City Council  
Tod Reddish, Woodland Fire Chief  
Barbara Sommer, Foreperson



# **Washington Unified School District**

WASHINGTON UNIFIED SCHOOL DISTRICT

RESPONSE TO GRAND JURY REPORT

The governance of responses to the Grand Jury Final Report is contained in Penal Code §933 and §933.05. Responses must be submitted within 60 or 90 days. Elected officials must respond within sixty (60) days, governing bodies (for example, the Board of Supervisors) must respond within ninety (90) days. Please submit all responses in writing and digital format to the Advising Judge and the Grand Jury Foreperson.

Report Title: Grand Jury Final Report 2009-2010 Report Date: June 30, 2010

Response by: Dayton Gilleland, Ed.D. Title: Superintendent

FINDINGS

I (we) agree with the findings numbered:

F-1 thru F-3

I (we) disagree wholly or partially with the findings numbered:

RECOMMENDATIONS

Recommendations numbered: \_\_\_\_\_  
have been implemented (attach a summary describing the implemented actions).

Recommendations numbered: 10-29 and 10-30  
require further analysis (attach an explanation of the analysis or study, and the time frame for the matter to be prepared by the officer or director of the agency or department being investigated or reviewed; including the governing body where applicable. The time frame shall not exceed six (6) months from the date of the Grand Jury Report).

Recommendations numbered: \_\_\_\_\_  
will not be implemented because they are not warranted and/or are not reasonable (attach an explanation).

Date: 09/09/10 Signed: 

Total number of pages attached 2

WASHINGTON UNIFIED SCHOOL DISTRICT



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Dayton Gilleland, Ed.D.

930 Westacre Road • West Sacramento, CA 95691 • (916) 375-7600 • Fax (916) 375-7619 • [www.wusd.k12.ca.us](http://www.wusd.k12.ca.us)

September 9, 2010

Honorable Janet Gaard  
Judge of the Yolo Superior Court, Department 15  
1100 Main Street, Suite 300  
Woodland, CA 95695

Honorable Janet Gaard,

This correspondence is in regards to the Grand Jury, County of Yolo's report for 2009-2010 in which it referenced the Washington Unified School District. Per the requirements of responding to the findings and recommendations of the report, the Washington Unified School District respectfully submits the follow:

Recommendations

There were two (2) recommendations made by the Grand Jury, both of which appear to be reasonable and obtainable. However, further analysis of the recommendation(s) need to occur before a determination on their viability can be made.

Recommendation 10-29 – This recommendation is for the District to implement the School-Wide Information System across the District. The School-Wide Information System (SWIS) collects data about incidents of student misbehavior and is currently implemented at two District schools, Yolo High School and Riverbank Elementary School. The District is currently working on refining a positive school-wide behavioral support system in all schools, and the use of SWIS to track data may be expanded across the District to the other elementary schools and the comprehensive high school. Work on the behavioral support system should be completed early in calendar year 2011.

Recommendation 10-30 – This recommendation is for the District to install security cameras outside and inside at the Yolo Alternative Education Center. Before the recommendation is either accepted and/or implemented, the District will need to perform an assessment to determine: how many and what type of cameras are needed to provide an acceptable level of coverage; what level of monitoring and/or recording will the system be capable of; what infrastructure exists on the site to support the installation of a security camera system; determine budget required to purchase and install the system; and identify a viable funding source to pay for the purchase of the system. It is anticipated that the aforementioned will be completed by December 31, 2010.

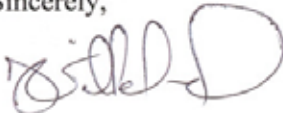
WASHINGTON UNIFIED SCHOOL DISTRICT

WASHINGTON UNIFIED SCHOOL DISTRICT

Honorable Janet Gaard  
Judge of the Yolo Superior Court, Department 15  
Page Two  
September 9, 2010

Should you have any additional questions or require further information, please contact Scott A. Lantsberger, Assistant Superintendent of Business Services at (916) 375-7604 x1010, or e-mail to [slantsberger@wusd.k12.ca.us](mailto:slantsberger@wusd.k12.ca.us).

Sincerely,



Dayton Gilleland, Ed.D.  
Superintendent

Cc: WUSD Board of Education

WASHINGTON UNIFIED SCHOOL DISTRICT

2008-09 District Allocation of Title I, Part A, Funds to Schools

California Department of Education

Consolidated Application

Agency: Washington Unified  
 CD code: 5 | 7 | 7 | 2 | 6 | 9 | 4

**Purpose:** To calculate and indicate the amount of funds to be allocated to eligible Title I, Part A, public schools and for services to eligible students in private schools. The allocations on this page are to provide direct services to eligible Title I students.

**CDE Contact:** *Richard Graham - (916) 319 - 0303 - RGRAHAM@cde.ca.gov*  
*Carmela Kelly-Batch - (916) 319 - 0300 - GKellyBatch@cde.ca.gov*

The page is not applicable because the LEA did not apply for this type of funding on page 2 of the ConApp.

A	B	C	D	E	F	G	H	I
Name of School School Code	Percent of Low-Income Students	Number of Low-Income Students	Title I, Part A \$ per Low-Income Student Number	Site-Level Carryover, If Applicable	Title I, Part A (Basic Grant) (C X D + E = F)	Title I, Part A (Parent Involvement for NCLB, Sec. 1118)	Private School Set-aside	Title I, Part A Total (F + G + H)
Westfield Village Elementary 6056394	93.0	319	524,2832	0	167,246	7,000	0	174,246
Elkhorn Village Elementary 6056352	90.4	444	521,4527	0	231,525	7,000	0	238,525
Riverbank Elementary 0116996	84.6	605	391,2088	0	236,681	7,000	0	243,681
Bryte Elementary 6056345	83.2	273	391,2088	0	106,800	7,000	0	113,800
Yolo High 5739552	74.0	145	391,2088	0	56,725	7,000	0	63,725
Westmore Oaks Elementary 6056402	65.8	476	295,5880	0	140,700	7,000	0	147,700
Stonegate Elementary 0114710	62.1	538	288,8476	0	155,400	7,000	0	162,400
River City Senior High 5735154	56.6	987	155,2368	0	153,219	7,402	0	160,621
Southport Elementary 6115463	46.7	397	289,4206	0	114,900	7,000	0	121,900

2008-09 ConApp, Part II, page 31.1 Date: 02/02/2009

WASHINGTON UNIFIED SCHOOL DISTRICT

2008-09 District Allocation of Title I, Part A, Funds to Schools

Consolidated Application

California Department of Education

**Purpose:** To calculate and indicate the amount of funds to be allocated to eligible Title I, Part A, public schools and for services to eligible students in private schools. The allocations on this page are to provide direct services to eligible Title I students.

**Agency:** Washington Unified  
**CD code:** 5 | 7 | 7 | 2 | 6 | 9 | 4

**CDE Contact:** Richard Graham - (916) 319 - 0303 - RGraham@cde.ca.gov  
 Carmela Kelly-Batch - (916) 319 - 0300 - GKellyBatch@cde.ca.gov

The page is not applicable because the LEA did not apply for this type of funding on page 2 of the ConApp.

A	B	C	D	E	F	G	H	I
Name of School School Code	Percent of Low-Income Students	Number of Low-Income Students	Title I, Part A \$ per Low-Income Student Number	Site-Level Carryover, If Applicable	Title I, Part A (Basic Grant) (C X D + E = F)	Title I, Part A (Parent Involvement for NCLB, Sec. 1118)	Private School Set-aside	Title I, Part A Total (F + G + H)
Bridgeway Island Elementary 6120745	40.3	338	197.6331	0	66,800	7,000	0	73,800
Holy Cross 6966154	37.4	55	402.2484	0	22,124	893	1,190	24,207
West Sacramento School for 5730080	37.1	26	0.0000	0	0	0	0	0
Christian Brothers High School 6938047	0.0	0	0.0000	0	0	0	0	0
Our Lady of Grace 6984504	0.0	0	0.0000	0	0	0	0	0
Rivercity Christian Academy 7079783	0.0	0	0.0000	0	0	0	0	0
<b>Adjusted total allocation</b>					1,452,120	71,295	1,190	1,524,605

Date: 02/02/2009

2008-09 ConApp, Part II, page 31.2

WASHINGTON UNIFIED SCHOOL DISTRICT

Received by the Yolo County Grand Jury on December 9, 2010 from Washington Unified School District.

Addendum to response from September 9, 2010. Report issued June 30, 2010. Page 1 of 54; full report on Yolo County Grand Jury Website.

SINGLE PLAN FOR STUDENT ACHIEVEMENT

YOLO HIGH SCHOOL  
EVERGREEN ELEMENTARY  
EVERGREEN MIDDLE SCHOOL

57726945739552  
57726940120220  
57726940120238  
CDS Code

Date of this revision: May 20, 2010

The *Single Plan for Student Achievement* (SPSA) is a plan of actions to raise the academic performance of all students to the level of performance goals established under the California Academic Performance Index. California *Education Code* sections 41507, 41572, and 64001 and the federal No Child Left Behind Act (NCLB) require each school to consolidate all school plans for programs funded through the School and Library Improvement Block Grant, the Pupil Retention Block Grant, the Consolidated Application, and NCLB Program Improvement into the *Single Plan for Student Achievement*.

For additional information on school programs and how you may become involved locally, please contact the following person:

Contact Person: J. Rachel Thoene

Position: Principal

Telephone Number: 916.375.7740 ext.1571

Address: 919 Westacre Road, West Sacramento, CA 95691

Email Address: [rthoene@wusd.k12.ca.us](mailto:rthoene@wusd.k12.ca.us)

Washington Unified School District

The District Governing Board approved this revision of the School Plan on June 3, 2010



# **Yolo County Housing Authority**

YOLO COUNTY HOUSING AUTHORITY

RESPONSE TO GRAND JURY REPORT (Cover Sheet)

The governance of responses to the Grand Jury Final Report is contained in Penal Code §933 and §933.05. Responses must be submitted within 60 or 90 days. Elected officials must respond within sixty (60) days, governing bodies (for example, the Board of Supervisors) must respond within ninety (90) days. Please submit all responses in writing and digital format to the Advising Judge and Grand Jury Foreperson.

Report Title: Yolo County Housing Authority

Report Date: June 30, 2010

Response by: Lisa A. Baker

Title: Executive Director

FINDINGS

I (we) agree with the findings numbered: See attached response

I (we) disagree wholly or partially with the findings numbered: See attached response

RECOMMENDATIONS

Recommendations numbered: 10-17, 10-20 and 10-21 (see attached response) have been implemented (attach a summary describing the implemented actions).

Recommendations numbered: 10-19 require time for implementation but not for further study (see attached response) require further analysis (attach an explanation of the analysis for study, and the time frame for the matter to be prepared by the officer or director of the agency or department being investigated or reviewed; including the governing body where applicable. The time frame shall not exceed six (6) months from the date of the Grand Jury Report).

Recommendations numbered: 10-18 (see attached response) will not be implemented because they are not warranted and/or are not reasonable (attach an explanation).

Date: September 27, 2010

Signed: \_\_\_\_\_

Total number of pages attached: 5 attached pages, 6 total pages counting cover sheet

YOLO COUNTY HOUSING AUTHORITY



**Yolo County Housing**

**Lisa A. Baker, Executive Director**

147 W. Main Street  
WOODLAND, CA 95695

Woodland: (530) 662-5428  
Sacramento: (916) 444-8982  
TTY: (800) 545-1833, ext. 626

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**Response to Yolo County Grand Jury Report – September 2010**

Honorable Janet Gaard  
Judge  
Yolo Superior Court, Department 15  
1100 Main Street, Suite 300  
Woodland, CA 95695

This letter represents the response of the Housing Authority of the County of Yolo (informally known as "Yolo County Housing" or "YCH") to the 2010 report of the Grand Jury. Specifically, this letter responds to findings F-1 through F-4 and Recommendations 10-17 through 10-21.

We want to take this opportunity to thank the Grand Jury for their time and interest in our programs, as well as for the service and professionalism of its members.

Background/Discussion

The Grand Jury investigated YCH in response to a citizen's complaint. In that complaint, it was alleged that the Agency did not address a "very serious complaint" on the part of an elderly resident regarding tenant safety. Specifically, that management failed "to deal with a disruptive tenant who repeatedly brandished a gun, peeped through windows, exposed himself, used threatening and abusive language and screamed and howled through the night. There was also concern about the well-being of a minor who lived with the disruptive adult and reportedly was his caregiver." In addition, the Grand Jury had questions about the emergency pull cord system. This response addresses those issues.

***Riverbend Senior Manor I and II – Independent Rental Units***

In its report, the Grand Jury referred to Riverbend Senior Manor I and II as independent living facilities. Actually, they are not "facilities" as such, but apartment buildings with unfurnished, independent apartments for elderly families who choose to rent at the complexes. These are not assisted living facilities and households who rent at the site live there in independent apartments. Riverbend Senior Manor I and II also lease space to the West Sacramento Senior Center and to the Meals program in order to provide opportunities for all seniors in the City of West Sacramento, including seniors renting units at Riverbend.

As stated in the report, Las Casitas and Riverbend have daily on-site management and access to staff during business hours either in person at the office, in the unit or by contacting management at the rental office. In addition, the YCH maintains a 1-800 number for after hours and emergency maintenance. As part of its 2010 anniversary, each resident also received a refrigerator magnet with

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YOLO COUNTY HOUSING AUTHORITY

Grand Jury Response, Page 2

the following information: 911 for emergencies, office hours and phone number, after hours/weekend emergency maintenance and access to the YCH website for additional information on disaster preparedness.

***Emergency Pull Cord System***

Apart from this information, there is also an emergency pull cord system in place to assist residents in knowing when another resident is in distress. In the Grand Jury report, it was unclear if the system was properly explained to jurors. The emergency pull cord system consists of a pull cord in each senior apartment. The cords are required to hang free and close to the floor to allow access to the system. When the cord is pulled, there is a light outside of the apartment and a horn, alerting residents to the emergency so that responders can call 911. The system is functional and is tested regularly. It is tested as part of the independent Real Estate Assessment Center (REAC) uniform inspection criteria (also known as UPCS). The YCH undergoes federal 3<sup>rd</sup> party REAC UPCS inspections annually and also contracts for its own 3<sup>rd</sup> party UPCS inspections annually. There have been no issues with the pull cord system functioning correctly. At one time, it was brought to management's attention that two (2) units in the rear had lights that did not face the other rental units. Because of this, it was possible that if someone pulled the emergency cord, residents would not know who needed assistance. This was corrected by staff with relocation of the lights to face towards the other rental units.

YCH recognizes that such a system functions best when residents understand the system and how to respond. YCH will be providing additional training to residents on how to use the system. In reality, the largest problem with the system is with residents who tie up the cords or hide them behind furniture, making them inaccessible to persons on the floor. Staff will continue to train residents not to tie up the cords, put them behind furniture or otherwise interfere with their effectiveness.

***Disruptive Tenant***

YCH staff can find no single tenant who meets the criteria outlined in the Grand Jury complaint. There were three (3) individual tenants in three separate apartments whose issues might have been the basis for this complaint. One tenant was cited by YCH for disruptive activities and violations of housekeeping standards that interfered with safety. Another resident was cited for theft and abusive language. In these two (2) instances, the YCH had documented violations in accordance with due process requirements for civil eviction and was taking action to terminate the tenancy of the renters. Prior to eviction proceedings, one tenant moved and another was killed in an apparently unrelated action. In the third instance, the tenant has filed a cross complaint against the original complainant. That complaint is currently under investigation by YCH and both tenants have been advised of requirements for a safe environment that allows for the peaceful enjoyment of the premises.

Regarding the issue of an at-risk minor, there were no approved minors living in any of the three (3) units. In one case, the resident had an adult son who did not reside on the premises, but who did assist his father with required paperwork and tasks.

YCH receives complaints, allegations and other information from residents and others about a variety of issues, including resident safety and security. YCH staff takes each one seriously and does follow up on complaints. However, due to privacy requirements, YCH staff are not always able to discuss outcomes with complainants or share the status of cases with them. Because YCH is subject to the same civil law requirements as any landlord with respect to evictions, YCH is required to have sufficient documentation of events, along with evidence of attempts to enforce the lease before it can bring a successful eviction proceeding against residents. This can sometimes take time

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YOLO COUNTY HOUSING AUTHORITY

Grand Jury Response, Page 3

before an eviction can move forward. In addition, YCH needs sufficient concrete evidence that will meet the court's burden of proof to be successful in its efforts.

***Policies Regarding Complaints, Grievances, Evictions***

In its report, the Grand Jury determined that the "Yolo County Board of Supervisors created a Risk Control Policy Statement for YCHA in 2008." Yolo County Housing (YCH) is independent of the County. In 2009, the Board of Commissioners for YCH created a Risk Control Policy Statement that states, "The safety and well-being of the residents and employees of the Housing Authority of the County of Yolo is of the utmost importance. (Resolution 09-06.)

The YCH takes safety and security seriously and has not only adopted a Risk Control Policy Statement that governs actions of the Agency and individual employees, but also addresses safety and security in its Admissions and Continued Occupancy Policy for residents of YCH federally-funded affordable rental housing under the ownership/management of YCH.

As such, and as noted by the Grand Jury, the YCH does have a written grievance procedure, as well as Lease documents and House Rules that address safety and security. There are many ways in which residents can make a complaint and in which YCH staff follow up on safety and complaints issues. These include:

- The YCH has an "Incident Documentation Form" through which residents may make written complaints; however, YCH does not require that residents use the form and will take complaints in any documented form;
- YCH holds quarterly resident meetings where safety and security issues, as well as general residential issues, are discussed and information is disseminated to residents;
- YCH addresses safety issues through its annual calendar and through flyers sent to each unit in addition to the meetings above. For 2010, these have included topics such as flu prevention and illness, BBQ safety, water safety, heat illness prevention, tenant obligations regarding no violent criminal or drug-related activities, fire safety and home protection safety tips.
- YCH conducts annual housekeeping inspections, as well as 3<sup>rd</sup> party UPCS inspections; in addition, HUD REAC conducts annual UPCS inspections as well;
- The YCH maintains a Memorandum of Understanding with the West Sacramento Police Department for information sharing; and
- The YCH maintains a "fraud and abuse" hotline where residents may report fraud, abuse, or other complaints.

***Possible Gang Activities***

YCH takes the safety and security of its residents seriously. In the Grand Jury comments section, it is stated that Riverbend is in "an area well-known for gang activities." As a result, YCH staff contacted West Sacramento Police Department for information about possible activities. The police department reported only non-emergency alarm calls (false alarms) and hang-ups. There were no reports of gang activity with respect to Riverbend Senior Manor I and II.

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YOLO COUNTY HOUSING AUTHORITY

Grand Jury Response, Page 4

Findings and Recommendations

- F-1:** Despite multiple complaints, the YCH did not take action to deal with the disturbed tenant and thereby jeopardized the safety of other tenants. **YCH response** there was no single tenant with the representing issues. YCH responded to complaints against three (3) different residents and took action leading to termination of tenancy in two (2) of the cases. YCH has a cross complaint from the third.
- F-2:** The failure to deal with the disturbed tenant posed a potential risk for a minor. **YCH response** there were no known minor children in residence in any of the three (3) instances.
- F-3:** The emergency pull cord system may or may not be effective, depending on whether cords are appropriately deployed inside the units, whether the system is operating correctly, and whether alarms are detected and responded to by others. **YCH response** the emergency pull cord system is operational; however, training of residents is required to ensure that cords are properly deployed, alarms detected and responded to.
- F-4:** The job descriptions of staff who have direct oversight of housing do not adequately address tenant safety. **YCH response** all job descriptions require that job functions be carried out in a safe manner and that safety concerns be reported to the Safety Committee or to management. In addition, all staff receive safety training a minimum of four (4) times per year. Finally, not all staff with the same job description are responsible for direct oversight of housing (e.g. voucher staff who provide private market subsidies). YCH staff are bound by the Risk Control Policy Statement and the Admissions and Continued Occupancy Plan (ACOP). YCH will add language to its job description safety language to require staff to be in conformance with the applicable safety policies in the Risk Control Statement and the ACOP.
- F-5:** Supervisory staff have not ensured compliance with established policies and procedures regarding responsiveness to tenant complaints. **YCH response** YCH staff operate in a team environment where complaints are discussed with supervisory staff and a course of action and/or investigation is agreed upon. In addition, supervisory staff bring summaries of complaints to management staff to ensure that management staff is in agreement with the manner in which the complaint will be handled and/or investigated. Finally, evictions are handled by supervisory staff, who are responsible for ensuring that YCH has taken the appropriate actions that will lead to successful eviction proceedings where necessary. YCH does conclude, however, that policies in place could have better codified procedures and will undertake to create a better documented complaint and follow-up process.
- 10-17:** Enforce eviction procedures to remove tenants who pose significant physical safety hazards to themselves or other tenants, in accordance with federal, state and local laws. **YCH response** YCH enforces lease violations and eviction procedures with respect to all tenants who violate the lease and house rules, especially for those who pose safety hazards. YCH is not able to determine who can and cannot live independently, but can and does enforce the lease.
- 10-18:** Enhance the emergency pull cord system to ensure that emergency alarms actively notify an on-duty responder. Coordinate planning with tenant council to ensure the new system is sufficient, but not intrusive to tenant privacy. When on-site, staff should respond to pull cord alarms. **YCH response** The pull cord system is a voluntary alert system. Staff will work with the tenant council and residents to ensure that all residents are trained in the appropriate use and

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YOLO COUNTY HOUSING AUTHORITY

Grand Jury Response, Page 5

deployment of the system. YCH staff are NOT first-responders and should not respond directly to pull cord emergencies as this could delay emergency first responder assistance. Such a delay could have tragic outcomes. Residents should immediately call 911 when the system has been deployed.

- **10-19:** Include tenant safety in job descriptions, including those for senior management, and incorporate disciplinary measures for staff who fail to identify or act on tenant safety problems. **YCH response** please see F-4 above. With respect to discipline, YCH has a policy and practice of enforcing progressive discipline with staff for failure to adhere to YCH policies, including the ACOP, Risk Control Safety Policy, Personnel Policy and other safety policies. YCH will continue to enforce progressive discipline within its organization.
- **10-20:** Promote monitoring and awareness regarding tenant safety issues. Reporting should be coordinated with tenant councils to promote accuracy and completeness. **YCH response** YCH will continue to coordinate with residents and with the resident council on promoting awareness of resident safety issues. YCH will ensure that a portion of quarterly resident meetings is devoted to different aspects of safety awareness.
- **10-21:** Institute annual training sessions on safety and emergency preparedness for the entire staff and tenants. **YCH response** YCH currently conducts quarterly safety training for the entire staff and has safety topics at its quarterly resident meetings. Annually, YCH will use one module to focus on emergency preparedness.

This completes the response of the Housing Authority of the County of Yolo to the Grand Jury Report.

*Working together to provide quality affordable housing and community development services for all*



**RESPONSES TO THE  
2010–2011  
YOLO COUNTY GRAND JURY  
FINAL REPORT**



# **Yolo County Department of Employment and Social Services**

YOLO COUNTY DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES



# County of Yolo

## OFFICE OF THE COUNTY ADMINISTRATOR

**Mindi Nunes**  
DIRECTOR OF ADMINISTRATIVE SERVICES

625 Court Street, Room 202  
Woodland, CA 95695  
(530) 666-8055 FAX (530) 666-8049  
[www.yolocounty.org](http://www.yolocounty.org)

May 23, 2011

Honorable David W. Reed  
Yolo County Superior Court  
725 Court Street, Department 6  
Woodland, CA 95695

Dear Judge Reed:

In response to the Grand Jury report of March 29, 2011, we respectfully submit our responses on behalf of General Services and Human Resources. Both departments have been consolidated into the Division of Administrative Services, a branch of the Office of the County Administrator.

### **Finding F3**

We disagree in part with this finding. Human Resources ensures that the management of each department receives updates on new policies and policy changes. It is then the responsibility of the department to ensure their employees are made aware of the policy. County departments have generally fulfilled their responsibilities to communicate new policies to their employees, however, we do acknowledge there are areas for improvement with respect to the communication of new policies to employees. In addition, it is sometimes the case that individual employees do not pay attention to County communications regarding changes to policies.

### **Finding F4**

We agree with this finding.

### **Finding F5**

We agree with this finding.

### **Recommendation R1**

Human Resources will create a system which will require department heads to verify they have kept employees up to date on policy and procedure changes. Additionally, Human Resources has developed a schedule of on-site office hours so that employees have access to human resource policies and procedures at their work location.

YOLO COUNTY DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES

Honorable David W. Reed  
May 19, 2011  
Page

**Recommendation R2**

Human Resources has implemented a process which notifies General Services management staff of evaluations due and will follow-up to ensure timely completion.

**Recommendation R3**

The County has researched automated payroll systems which would require electronic tracking of employee attendance. As soon as funds are available to purchase and implement this system, we will do so.

Sincerely,

Mindi Nunes  
Director of Administrative Services

C: Kathleen Jean Stock, Grand Jury Foreperson



# **Yolo County Elections Office**

YOLO COUNTY ELECTIONS OFFICE

Kathleen Jean Stock, Foreperson and Members  
Grand Jury  
County of Yolo  
P.O. Box 2142  
Woodland, CA 95776  
grand-jury@sbcglobal.net

April 16, 2011

Dear Foreperson Stock and Members of the Grand Jury,

The Yolo County Clerk-Recorder is in receipt of your report on the Yolo County Elections Office.

We thank the Grand Jury for the effort and attention you brought to this review, and we find ourselves in complete agreement with your findings.

We agree that, “The Yolo County Elections Office performed commendably by consistent adherence to protocol and procedures designed to ensure that each vote was counted properly. However, crowded conditions at voting sites with multiple precincts at times led to voter confusion.”

We regret those instances where we are forced to have more than one precinct at one voting site. This occurs when we exhaust every possibility for additional sites and are forced to double up. We make every effort to avoid this.

We appreciate the Grand Jury’s suggestion that, “the Elections Office consider having one staff member at locations with multiple precincts, assisting voters to the proper precinct table.” This was, in fact, our practice in the past. We recently ceased this practice in order to save the salary of the additional poll worker (approximately \$130.00 in each polling place concerned). We accept the Grand Jury’s recommendation and will immediately resume the practice of having a “traffic guide” in each polling place with multiple precincts.

Please feel free to contact us with any questions or concerns.

Sincerely,

Freddie Oakley  
Yolo County Clerk-Recorder

c: Clerk of the Board of Supervisors  
Patrick Blacklock, Yolo County CAO  
Robyn Drivon, Yolo County Counsel

