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CORONAVIRUS DISCLAIMER

The spread of the COVID-19 virus in Sacramento County has caused the disruption of governmental and commercial business activities as well as the curtailment of societal functions. While the disruption is currently expected to be temporary, there is uncertainty as to the duration.

Therefore, the Sacramento County Grand Jury expects that this matter could potentially have an impact on the findings and recommendations included in this 2019-2020 Final Report; however, the extent of the impact cannot be reasonably estimated at this time.

ROLE AND SELECTION OF THE SACRAMENTO COUNTY GRAND JURY

Role of the Grand Jury

The Sacramento County Grand Jury consists of 19 persons selected annually to provide citizen oversight of local government operations. The Grand Jury, unlike trial juries selected to hear individual cases, is empaneled for a full year to review citizens' complaints, conduct inspections and investigations and, when appropriate, write reports on local government operations.

In general, the Grand Jury has the following functions:

- Receive and review citizen complaints for possible investigation.¹
- Conduct investigations into allegations of inefficiencies of operation or possible misconduct of government officials. The Grand Jury may interview witnesses and review documents. The Grand Jury may issue reports based on the results of their investigations.
- The Grand Jury may be requested to hear evidence and return an indictment in a case of alleged criminal wrongdoing presented by the District Attorney or State Attorney General.
- Conduct Facility Assessment tours, as required by the California Penal Code, of all detention facilities in Sacramento County to observe and report on each facility's management and conditions.
- Visit other governmental facilities, meet with public officials and review public documents as necessary to fulfill their local government oversight responsibilities.²
- Monitor responses, as required by the California Penal Code, received from elected officials and agencies who are required to respond to report findings and recommendations of the previous year's Grand Jury.
- Publish an Annual Report.

With the exception of public reports, both interim and annual, issued by the Grand Jury, **all** Grand Jury communications, documents, activities and deliberations are confidential.

¹ A more detailed description of the Purpose and Function of the Grand Jury and the Grand Jury Selection Process may be found at the Grand Jury web page at <https://www.saccourt.ca.gov/grand-jury/grand-jury.aspx>

² The 2019-2020 Grand Jury visited the Sacramento County Coroner's Office, the Sacramento Police Academy, the Sacramento County District Attorney's Crime Lab and the Sacramento County's Voter Registration and Elections Office. Grand Jurors also met with representatives from the Sacramento County Sheriff's Department, the Sacramento County District Attorney's Office, the Sacramento Police Department, the Sacramento County Counsel's Office and the Sacramento County's Voter Registration and Elections Office to gain a better understanding of the challenges facing our communities.

Selection of the Sacramento County Grand Jury

The selection process for the Grand Jury begins in January of each year. A prospective pool of jurors is developed from individuals responding to invitations sent to names identified through the County's Voter Registration and State Department of Motor Vehicles file systems and from applications filled at the Courthouse by individuals interested in serving on the Grand Jury. All applicants must be at least 18 years of age, a resident of Sacramento County and not have been convicted of a felony.

Prospective jurors will participate in the following process steps before the term of the Grand Jury begins on July 1:

- Attend an orientation briefing in February to learn more about Grand Jury service and formally commit to the application process
- Submit to a background check
- Be interviewed in March/April by volunteers from the Sacramento Grand Jurors Association
- Have their applications, results of the background check and results of the interview reviewed by judges of the Sacramento Superior Court
- Prospective jurors who are identified for the final pool must attend the final Grand Jury selection, which is done by lot, and empanelment in mid-May
- New Grand Jurors attend mandatory orientation in late June prior to beginning their one year term of service on July 1

INVESTIGATIVE REPORTS



ELK GROVE PARKS:
WHERE HAVE ALL THE FLOWERS GONE?



ELK GROVE PARKS: WHERE HAVE ALL THE FLOWERS GONE?

SUMMARY

In the summer of 2018, the Cosumnes Community Services District (CCSD) posted signs in 10 Elk Grove/West Vineyard community parks that services were being cut back due to funding shortages. CCSD is the special district responsible for, among other things, maintaining parks in the City of Elk Grove. That summer, water use was curtailed, grass turned brown, mowing was reduced, bushes went untrimmed and weeds flourished. Missing equipment was not replaced and broken equipment was not repaired.

All of these problems can be traced back to the issue of insufficient revenue for Elk Grove's parks maintenance program. That program has been saddled with costly inefficiencies and fragmentation into 13 separate benefit zones and six overlay districts, and widely differing assessment rates in each of these areas. A benefit zone is an area established by CCSD in which a specified assessment fee is collected to fund park maintenance within that area. An overlay district is an area within one or more benefit zones in which voters have approved a supplemental assessment for park maintenance within that area. Each increase to these rates for each benefit zone or overlay district, beyond a specified cost of living adjustment, must be separately approved by the voters in that area.

CCSD has actively sought to educate residents about the need to solve the problems created by the combination of funding mechanisms used for maintenance, Landscape and Lighting (L&L) district and Proposition 218, and the jurisdictional divisions between CCSD and the City of Elk Grove. However, the public has been reluctant to support initiatives to resolve these problems on a comprehensive basis.

The 2019-2020 Sacramento County Grand Jury investigated the Elk Grove parks program to better understand the causes of these service cutbacks in recent years, the outlook for the future, and possible solutions to bring long-term stability to that program. The Grand Jury recommends that CCSD and the City of Elk Grove, in cooperation with other stakeholders, explore the feasibility of replacing the existing funding mechanism with a simplified, equitable, streamlined and sustainable system. In such a new system, all residents would pay an annual assessment, based on property value, sufficient to adequately fund the total cost of park maintenance district-wide, the same way property taxes are assessed. To explore this feasibility, it is recommended that CCSD and the City of Elk Grove:

- Conduct an assessment of the adequacy of all combined revenue collected presently and projected over 10 years, measured against the combined funding required for all parks presently and projected over 10 years.
- Compare the revenue growth permitted by the cost of living index to the predicted cost increases required for the entire park system.

- Analyze the costs to the park program of the additional staffing and consultant services required by the practice of budgeting and managing 19 separate zones and districts, and the costs of conducting surveys and the prescribed election procedures as precursors to revenue increases exceeding the cost of living index.
- Evaluate the effect of reversing the existing practice of first transferring new revenues to district-wide and regional facilities, before budgeting for local park maintenance.

BACKGROUND

Around July 2018, CCSD posted signs at 10 parks in the Elk Grove/West Vineyard neighborhood (also known as Benefit Zone 3), warning that services at those parks could be cut due to funding shortages. That summer, water use was cut by 50 percent, grasses turned brown, mowing was reduced, bushes went untrimmed and weeds flourished. Missing equipment, such as a basketball hoop and backboard at Amundson Park, was not replaced. Broken fixtures, such as a drinking fountain at MacDonald Park, were not repaired.

News coverage at the time disclosed that CCSD's use of L&L district assessments to pay for park maintenance was not sustainable in certain areas. While neighborhood elections approved additional funding for Perry Park and MacDonald Park in 2019, several other parks in the Elk Grove/West Vineyard area continue to face service cuts. CCSD's 2019 10-year Park Maintenance Master Plan (PMMP) projected additional maintenance shortfalls for Elk Grove/West Vineyard parks as early as 2022-2023.

All of these problems can be traced to the issue of insufficient revenue for Elk Grove's parks maintenance program. That program has been saddled with costly inefficiencies and fragmentation among 19 individual assessment areas (13 benefit zones and six overlay districts), widely differing assessment rates in each of these areas, and the requirement that any increases to these rates, beyond a specified cost of living adjustment, is subject to voter approval in each area. CCSD has actively sought to educate residents about the need to solve the problems created by the combination of the funding mechanism used for maintenance (L&L district fees), the strictures of Proposition 218 (the 1996 initiative requiring voter approval of certain rate increases, as discussed later in this report) and the jurisdictional divisions between CCSD and the City of Elk Grove. The public has been reluctant to support initiatives to resolve these problems on a comprehensive basis.

Parks Considered Part of Elk Grove's Identity

Parks, trails, and open space together play an important role in the identity and lifestyle of the City of Elk Grove. Their prominence as valued community assets is reflected in the City's 2019 General Plan:

- "Parks and trails in Elk Grove are a significant point of pride of the community and contribute to the health and quality of life of residents and visitors. Access and

proximity to recreational facilities is one of the most important ways to foster a livable community.”

- A primary goal of the General Plan is having “plentiful parks and open spaces that are safe, clean and high quality.”
- “Elk Grove’s parks and open space are essential assets that offer residents opportunities for recreation and contact with nature. The City will continue to work with the Cosumnes Community Services District to ensure there is an adequate amount of open space as Elk Grove grows, to maintain existing parks and recreational programming.”

Jurisdictional Responsibilities

To comprehend the funding challenges facing Elk Grove parks, it is important to understand who controls the parks, how their maintenance is funded and managed, and how additional revenue can be authorized. Following the establishment of Elk Grove’s first park in 1904, a series of park management districts was created, including the Elk Grove Park District, expanding into the Elk Grove Park and Recreation District in 1936, then the Elk Grove Community Services District (EGCSD) in 1985, and most recently, CCSD in 2006.

In the 20 years since the City of Elk Grove was incorporated in 2000, the number of parks has more than doubled: from 38 parks in 2000, to 69 parks in 2006 when EGCSD was replaced by CCSD, to 98 parks today. As a condition of Elk Grove’s incorporation in 2000, the Sacramento Local Agency Formation Commission (LAFCO) required that EGCSD would continue to provide park maintenance services. But soon after, EGCSD became concerned that Elk Grove was becoming too active in park planning and development. Upon annexation of the Laguna West area in 2003, the City took several actions viewed by EGCSD as challenging its authority:

- In 2004, Elk Grove approved the Laguna Ridge Specific Plan (LRSP) which included goals to develop parks in the LRSP area.
- In 2005, Elk Grove added a “Parks, Trails and Open Space” element to its 2003 General Plan, allowing the City to become more active in defining location, size and type of amenities of public parks, and calling for a parks and trails master plan.
- In 2005, Elk Grove contracted with a landscape architecture firm to design, construct, and maintain parks and open spaces in the LRSP.

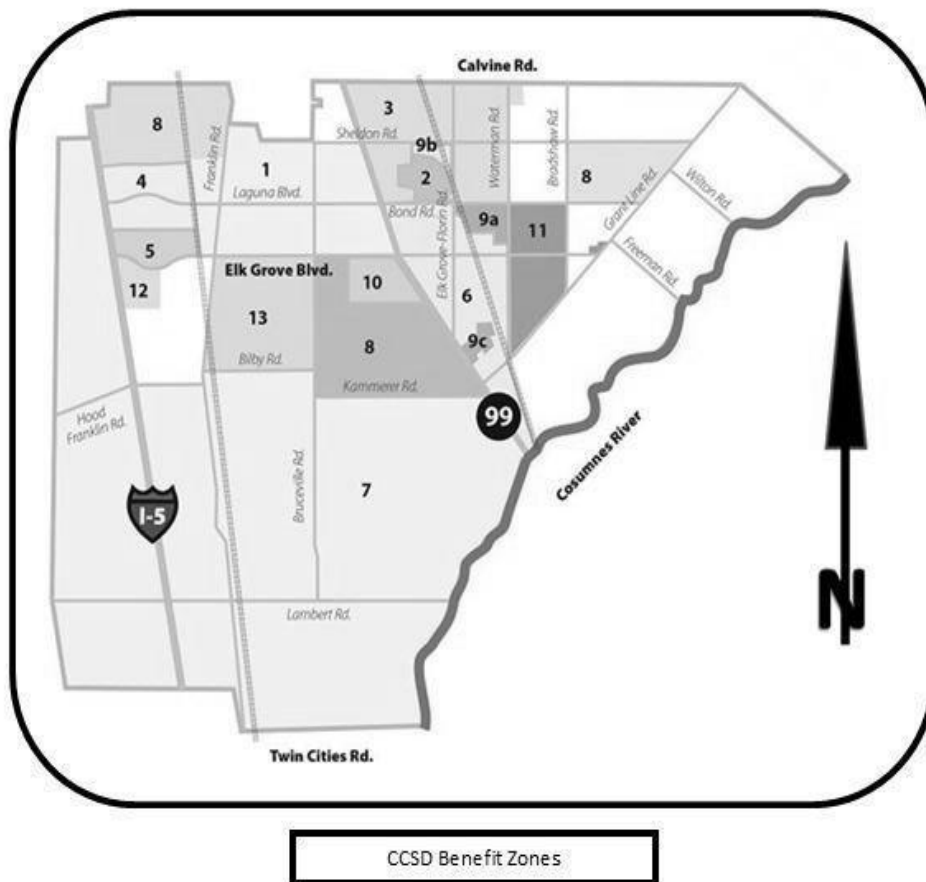
Lawsuits and Memoranda of Understanding

In 2005, EGCSD, replaced by CCSD the following year, filed a lawsuit against the City of Elk Grove. EGCSD accused the City of usurping the District’s authority to design, build and maintain parks and trails, as well as to collect fees and accept land dedications for park use. Elk Grove countersued, claiming it was acting within its authority. Two years later, the lawsuits were settled and a Memorandum of Understanding (MOU) between CCSD and Elk Grove was executed in 2007, with others executed in 2011, 2012 and 2015. In 2019, these earlier MOUs were incorporated into one master agreement touching on development, maintenance, funding and naming rights.

Funding for Elk Grove Parks

A variety of revenue sources are used to build, maintain, and operate parks in Elk Grove. Quimby Act fees and Park Impact fees are the principal sources used to build parks. Landscape and Lighting (L&L) district fees and Mello-Roos Community Funding District (CFD) taxes are used to fund park maintenance costs. There are 13 L&L benefit zones and six L&L overlay districts in Elk Grove. Each must be budgeted and managed independently of each other. Moreover, shortages in L&L revenue to meet the costs of maintaining, repairing and restoring parks can only be addressed through public votes within each individual assessment area.

A *benefit zone* (BZ) is an area established by CCSD in which a specified assessment fee is collected to fund park maintenance within that area. An *overlay district* is an area within one or more benefit zones in which voters have approved a supplemental assessment for park maintenance within that area. For administrative purposes, CCSD numbers all benefit zones and overlay districts consecutively, using the common designation of BZ. The 13 benefit zones are numbered BZ1 through BZ13; the six overlay districts are numbered BZ14 through BZ20, with the exception of BZ17, which is a placeholder to track expenditures for parks in the Laguna Ridge area which are funded by the City of Elk Grove using Mello-Roos CDF funds and does not involve any L&L funds.



METHODOLOGY

The Grand Jury conducted interviews, attended community meetings and reviewed documents during the course of this investigation.

Interviews:

Eight individuals, including elected officials and senior administrators, were interviewed from the following entities:

- Cosumnes Community Services District (CCSD)
- City of Elk Grove

Note: Three of these individuals also responded to written inquiries after their interviews.

Meetings attended:

- Two CCSD community outreach meetings
- Park Maintenance 101 workshop

CCSD documents reviewed:

- “Benefit Zone 3 Elk Grove/West Vineyard Park and Landscape Fact Sheet” (2019)
- Staff report on “Benefit Zones 3 and 6 Funding Plan” (December 21, 2016)
- Staff report on “Local Funding Plan for Benefit Zones 3 and 6 Update” (February 21, 2018)
- Staff report on “Landscape and Lighting Funding Sustainability” (August 7, 2019)
- Staff report for “Public hearing – Proposed Camden Pointe and Camden Estates Improvement District, Tabulation of Ballots, and (if measure passes), Resolution Ordering the Levy of Assessments for Fiscal Year 2019-2020” (June 19, 2019)
- Staff report for “Public hearing – Proposed Perry Ranch Improvement District, Tabulation of Ballots, and (if measure passes), Resolution Ordering the Levy of Assessments for Fiscal Year 2019-2020” (June 19, 2019)
- Staff report for “Public hearing – Resolutions Levying Annual Assessment, Approval of the Final Engineer’s Reports for Fiscal Year 2019-2020” (July 17, 2019)
- Engineer’s Reports for District-wide L&L assessments for Fiscal Years 1994-1995, 2000-2001, 2019-2020
- 2019-2020 Landscape and Lighting budget
- 2016-2017 Park Maintenance Master Plan (PMMP) and 2019-2020 update of the PMMP
- 2018 Plan for Play – Parks, Recreation and Facilities Master Plan
- 2019-2020 Parks and Recreation Strategic Plan
- “Landscape Maintenance Funding 101” publication
- Original and amended complaints cross complaints and settlement agreement, *Elk Grove Community Services District v. City of Elk Grove (Sacramento County Superior Court case number 05AS00612)*
- Memorandum of Understanding between CCSD and the City of Elk Grove (2007)
- Memorandum of Understanding between CCSD and the City of Elk Grove Concerning Development of Parks and Recreation Facilities (2019)

- 2019 Park and Landscape Surveys for seven parks in Benefit Zone 3 (Elk Grove/West Vineyard) and accompanying fact sheets
- Internal report of 2019 Elk Grove/West Vineyard Park and Landscape Survey results

City of Elk Grove documents reviewed:

- Staff report on resolution adopting Supplemental Park Fee for Laguna Ridge Specific Plan Area
- City of Elk Grove Southeast Policy Area, Park and Trails Impact Fees Nexus Study (February 13, 2019)
- City of Elk Grove General Plan (adopted February 27, 2019)

Other documents reviewed:

- “Funding shortages put repairs at Elk Grove parks on hold,” KCRA 3, September 21, 2018. <https://www.kcra.com/article/funding-shortages-put-repairs-at-elk-grove-parks-on-hold/23052074#>
- “Services Cut at 10 Elk Grove Parks Due to Lack of Funding,” Elk Grove Tribune, October 29, 2018. <https://elkgrovetribune.com/services-cut-10-elk-grove-parks-due-lack-funding/>
- California Tax Data flier, “What is a 1972 Landscape and Lighting District?”
- Mello-Roos Community Facilities Act of 1982, California Legislative Information website
- Proposition 218 Guide to Special Districts, published by California Special Districts Association
- “Hume asks for CCSD merger proposal be dropped from two-year initiatives”, ElkGroveNews.Net, March 12, 2015. <http://www.elkgrovenews.net/2015/03/elk-grove-city-council-drops-merger.html>
- “Hume suggests city take over parks from CCSD,” Elk Grove Citizen, March 13, 2015. http://www.egcitizen.com/news/hume-suggests-city-take-over-parks-from-csd/article_e43c3c13-e58a-5da3-9c03-dcbb051a5cd5.html
- “City seeks agreement with CCSD”, Elk Grove Citizen, March 24, 2015. http://www.egcitizen.com/news/city-seeks-agreement-with-csd/article_2a53bfff-10ca-5400-8acd-43b000da55c3.html
- “Remembering Jennie McConnell”, Elk Grove Citizen, November 13, 2015. http://www.egcitizen.com/lifestyle/remembering-jennie-mcconnell/article_af76519b-10fb-554d-8287-851b4cd4b906.html
- “Is it time for City of Elk Grove to take over parks?”, Elk Grove Laguna News, December 19, 2018. <https://elkgrovelagunanews.com/2018/12/19/editorial-is-it-time-for-the-city-of-elk-grove-to-take-over-parks/>

DISCUSSION

CCSD is a special district, as was its predecessor, EGCSO. Pursuant to California Government Code Section 56036a, a special district is an agency of the State, formed pursuant to general law or special act, for the local performance of governmental or proprietary functions within limited boundaries. According to the California Special Districts Association, California has over 4,000 special districts, of which 13 percent are community service districts. CCSD provides not

only park and recreation services to the City of Elk Grove, but also fire protection services to Elk Grove, the City of Galt, and unincorporated areas in southern Sacramento County.

Funding for Parks

In keeping with Elk Grove's population growth, outdoor image and lifestyle, the park program in Elk Grove was able to expand rapidly over the past quarter century, increasing nearly four-fold from 25 parks in 1994 to 98 parks today. This expansion relied on Quimby fees and Park Impact fees to pay the capital costs of these parks. But once built, CCSD relied upon the Landscape and Lighting (L&L) district mechanism to fund on-going maintenance costs while the City preferred to use Mello-Roos taxes. These activities include watering and mowing lawns, trimming hedges, controlling weeds, aerating and fertilizing the soil, repaving asphalt, repairing broken equipment, revitalizing playgrounds, replacing aging structures, and adding amenities such as park benches.

Quimby fees - These fees were authorized in 1975 by the Quimby Act. They are collected from developers in lieu of land dedication for developing or rehabilitating neighborhood or community parks or recreation facilities to serve the subdivision. They must be committed within five years of payment or issuance of building permits on half of the lots in the subdivision. There is no time limit for expending committed funds.

Park Impact fees – These fees were authorized in 1987 by the Mitigation Fee Act (AB 1600). They are considered a development impact fee and are collected from developers when building permits are issued. Funds are restricted for use in a Specific Plan Area where the fees are paid and for identified facilities. In Elk Grove, there are six Specific Plan Areas. The fees are collected by the City and passed through to CCSD.

L&L assessment fees – These fees were authorized in 1972 by the Landscape and Lighting Act. They can be levied by cities, counties, or special districts to acquire land for parks and open space. They can also be used to install and maintain landscaping, statues, fountains, general lighting, traffic lights, recreational and playground courts and equipment and public bathrooms. Bonds can be issued against L&L revenues to build community centers, auditoriums and halls. Proposed L&L districts and assessments must be approved by a majority of property owners who live within the district. Assessments cannot be based on land value but rather on benefits received as determined by an Engineer's Report. Funds collected in a benefit zone or overlay district must be spent in that area, and cannot be used in another benefit zone or overlay district area. Once approved, assessments are paid annually via property tax bills.

Mello-Roos Community Facilities District (CFD) taxes – These taxes were authorized in 1982 by the Mello-Roos Community Facilities Act. Cities, counties, school and special districts and joint power authorities can create a Mello-Roos (CFD) district to finance public improvements and services, such as parks, cultural facilities, streets, and sewer systems. CFDs must be approved by two-thirds of the property owners in the proposed district. Once approved, a tax lien is placed on each parcel. Taxes are not based on valuation, but rather use, structure and lot size.

In Elk Grove, L&L fees and Mello-Roos taxes are primarily used to fund maintenance costs. There are 19 separate L&L assessment districts in Elk Grove. Each must be budgeted and managed independently of all the others. Furthermore, shortages in L&L revenue to meet the costs of maintaining, repairing and restoring parks can only be addressed through public votes within each individual benefit zone.

Elk Grove's Landscape and Lighting District

While the legislation authorizing L&L districts was enacted in 1972, EGCSO did not implement such a district until 1994. That year, EGCSO initiated the required Engineer's Report. That Report called for eight benefit zones (BZ). It stated that assessment fees in each BZ would go toward the "cost of maintaining the landscaped corridors, medians, parkways and mini-parks" within each zone, with a portion of each BZ's revenue going to district-wide amenities.

In the Engineer's Report, properties were assigned a weighted value, the Equivalent Dwelling Unit (EDU) with the single-family home given the highest value, 1.0 EDU, with other structures, such as mobile homes, counted at 0.75 EDU. Multi-family buildings were assigned 1.0 EDU per unit. Mapped commercial and industrial each received 1.5 EDU per acre. The L&L assessment fee would vary, as it was based on the costs of improvements and the number of EDUs in a specific benefit zone. Annual fee increases are pegged to the Consumer Price Index (CPI). Once approved, assessments are listed separately on the property tax bill.

The assessment rates called for in the 1994 Engineer's Report varied widely. For example:

- \$0.00 in BZ7 (Southern Agriculture, with no amenities or EDUs)
- \$0.00 in BZ8 ('other rural', with 2,396 EDUs)
- \$96.60 in BZ3* (Elk Grove/West Vineyard, with 4,301 EDUs, requiring \$85,882 for its many mini-parks and \$32,731 for corridors and medians)
- \$178.42 in BZ4** (West Laguna, with 2,096 EDUs, requiring \$18,000 for mini-parks and \$124,791 for corridors and medians)
- \$258.12 in BZ2 (Camden, with 592 EDUs)

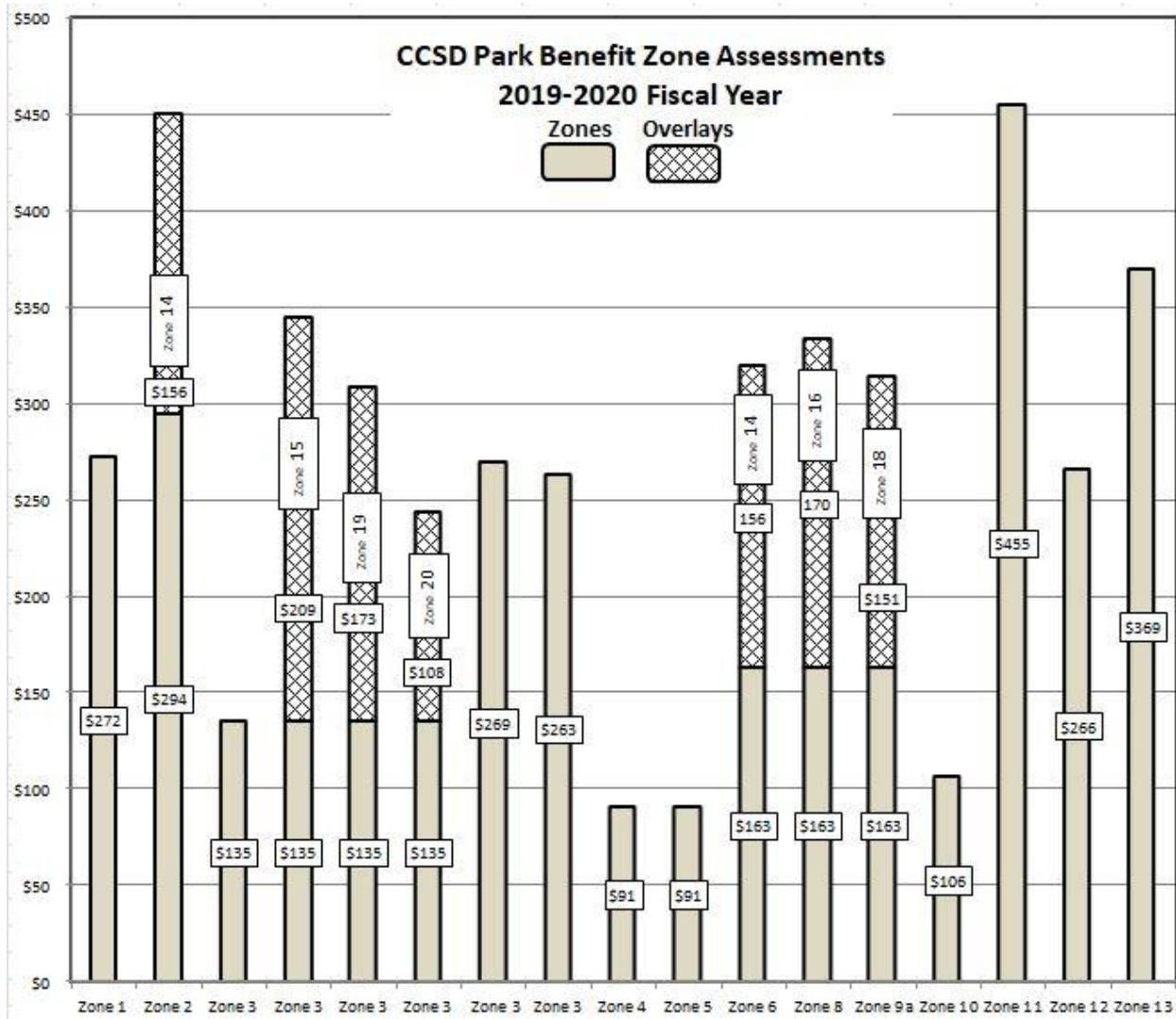
*-experiencing deferred maintenance since 2018

**-facing funding shortfall in 2022-2023

In total, the 1994 Engineer's Report projected total L&L assessment revenues of \$3,848,102 with the largest share, \$1,564,043, going to district-wide costs, and \$1,510,034 for combined maintenance costs within all BZs, leaving \$774,095 in reserve.

Today, CCSD's L&L district has evolved into a complex array of 13 benefit zones and six overlay districts, each separately budgeted and managed, and each with widely differing assessment rates. The number of parks maintained by CCSD has grown to 98, distributed among these 19 areas, with half concentrated in just three benefit zones: BZ1, BZ3, and BZ13. L&L assessment rates vary from a low of \$91 (BZ6 and BZ8) to a high of \$455 (BZ11). Each overlay district has its

own assessment fee, from a low of \$108 (BZ20) to a high of \$209 (BZ15). Residents in overlay districts must pay dual fees, for both the overlay district and the underlying benefit zone, with the combined rates ranging from \$243 (BZ3/20) to \$450 (BZ2/14.) Several benefit zones (BZ3 and BZ4) are facing deferred maintenance, repair or restoration due to revenue shortages and are facing elaborate electoral procedures to increase revenue. In short, CCSD's L&L district is a complex inefficient mechanism for the maintenance of parks in Elk Grove.



Source: Cosumnes Community Services District

Proposition 218 – The Right to Vote on Taxes Act (1996)

Two years after what was then EGCS D's initial use of an L&L district, California voters approved Proposition 218 in November 1996. That initiative was a follow-up to Proposition 13 (1978) which restricted California's property taxation system. According to the California Special Districts Association, Proposition 218 was meant to curb local government attempts to circumvent Proposition 13 by charging additional taxes, assessments and fees.

Under Proposition 218, increases to benefit-based assessments, such as L&L fees, are limited by a CPI. Unless increases with a higher CPI were already approved by property owners when the fee was assessed, greater increases in the future would require voter approval following a very detailed specified process:

- An Engineer's Report would be required to determine the amount that each property owner would pay. The amount of benefit must be calculated by a set formula and not be less than the cost of providing the benefit or service to the property owner.
- A public hearing would be required so property owners could protest the assessment.
- A ballot must be sent out with a 45-day notice. That ballot must contain specific information about the rates, the use of the revenue, and the duration of the tax.
- A simple majority would be required to approve an assessment increase; a two-thirds majority would be required to approve a tax increase.

Early attempts to raise L&L fees after passage of Proposition 218

In 2009, CCSD embarked on an aggressive campaign to educate Elk Grove residents as to the constraints of the existing L&L assessment fees and the need for additional revenue, especially in two neighborhoods: BZ3 (Elk Grove/West Vineyard) and BZ6 (Central Elk Grove). CCSD held approximately four dozen community meetings with community groups and commercial property owners; made extensive use of local newspapers, TV and radio stations; distributed signs, newsletters, and activity guides; mailed postcards to all property owners; and utilized the CCSD website to further educate. Despite this concerted effort, property owners in both benefit zones voted down the proposed zone-wide increases by large margins of 2 to 1 and 3 to 1, respectively.

Nevertheless, there were some successes. Property owners in BZ2 (Camden) and what was then in Part A of BZ9 (Waterman Park/Village) approved an increase for a new overlay district, BZ14 (Camden Park). Revenues collected in an overlay district can only be used toward maintaining a specific park or amenity. In the case of BZ14, the overlay provided maintenance for the Camden Creek Greenbelt, as well as Mix and Underwood parks. One advantage of establishing overlay districts is that they do not have to contribute to district-wide costs. Another is that a higher CPI could be used to calculate future annual increases. In 2019, CCSD used the San Francisco Bay Area CPI of 3.526 percent for the overlay districts, instead of the Pacific West Cities CPI of 2.295 percent for the other L&L assessment zones.

Later in 2009, some property owners in BZ3 near Jordan Park approved an increase for another new overlay zone, BZ15 (Vista Creek). That same year, property owners near Van Doren and Hill parks, spanning BZ2 and Part B of BZ9, approved an increase for yet another new overlay zone, BZ16 (Fallbrook/Park Lane/Britschigi). Then seven years later, in 2016, another group of property owners in BZ9 approved an additional overlay district BZ18 (Hampton Village).

Even with these successes, the creation of every new benefit zone and overlay district carries the requirement for an additional separate budget and separate program to manage. Today,

there are 19 separate assessment areas with 19 separate budgets and maintenance programs. In BZ3 alone, there are four assessment areas: the benefit zone itself and three overlay districts. This has fragmented Elk Grove's parks into a parcel-based and neighborhood-based program, further restricting how and where available revenue can be used, and posing added administrative costs for budgeting and management of each zone, educating and surveying the community and conducting the prescribed election process.

2016 Park Maintenance Master Plan (PMMP)

In 2014, CCSD created a Park Maintenance Master Plan (PMMP) to help budget and plan what would need to be done to ensure the longevity of park assets as well as protecting the people who use those assets. The initial PMMP took two years to complete. It confirmed that L&L funding in BZ3 and BZ6 was not sustainable because projected costs increased at a greater rate than the allowable increases in revenue. By the time that the PMMP was released in 2016, CCSD had 13 benefit zones and four overlay zones and was managing 94 parks totaling 703 acres, as well as streetscapes with 340 acres.

The 2016 PMMP included a 10-year Asset Life Cycle Plan (ALCP) that identified which assets needed to be repaired or replaced by a certain date, and how much each would cost. The ALCP showed that the greatest cost was for playgrounds, at an estimated \$365,000 for its design, construction management, and the purchase and installation of equipment. The ALCP further stated that while most playgrounds are built to last 25 years, as they approach the end of that period, they are considered unplayable and should be retired. The current estimated cost to revitalize a playground is \$401,000 per park.

Trouble Spots

The Grand Jury looked more closely at the following fiscally challenged benefit zones: BZ3, BZ6, and BZ4. They provided important insight and understanding into the causes of problems that might eventually spill over into other benefit zones in CCSD.

Parks in BZ3

In 2016, the L&L assessment rate for BZ3 was \$63, generating \$885,550 per year; but it faced \$88,244 in ALCP costs and \$6,167,164 in capital improvement projects (CIP) planned between 2016 and 2021. At the time, BZ3 had 11 parks and 29 high use assets like baseball diamonds, multi-use fields, and sports courts. Moreover, it had 12 high-cost playgrounds. CCSD staff estimated BZ3 was facing a five-year outlay of \$6,255,408 just to replace worn assets. They projected BZ3's reserves would be depleted by 2021, leaving it in the red by \$120,713. Part of the reason for the shortfall in BZ3 is that maintenance costs quickly outstripped revenue. Annual increases in the L&L assessments were pegged to the CPI. According to a CCSD fact sheet on BZ3, the annual CPI adjustment has averaged 2.5 percent since 1997. The number of parks also jumped from two to 10 since then. The cost of maintaining those parks has increased dramatically. Between 2008 and 2018, the cost of concrete paving increased by 112

percent per square foot, and the price of water increased by 55 percent. But the L&L assessment fee only increased by 20 percent during that same time period.

Due to BZ3's funding shortfall, three planned parks were never completed: Phase II of MacDonald Park, Arcadian Village and Sheldon Place. Although Quimby fees and Park Impact fees were collected to build all three, there was no funding to maintain them. The delay of the completion of MacDonald Park's Phase II was the subject of a Sacramento County Grand Jury investigation in 2018-2019. This project requires \$752,557 for its completion. Sheldon Place and Arcadian Village require \$1,137,401 and \$3,939,702, respectively. All three projects were pushed back by CCSD to 2022-2023 at the earliest.

In November 2017, CCSD initiated a survey to determine support for new overlay zones and assessment rate increases within BZ3 and BZ6. Unfortunately, the survey results showed little support for an increase. So, in February 2018, CCSD suspended any move toward a vote and instead directed staff to concentrate on public education and community outreach. Despite this setback, pockets of support for revenue increases existed within BZ3 around MacDonald Park and Perry Park. These property owners organized and secured elections last year to establish overlay zones and rate increases. Both votes passed overwhelmingly: 84.1 percent to establish BZ19 (Camden Estates and Camden Pointe) and 72.2 percent to establish BZ20 (Perry Ranch).

CCSD updates the 10-year PMMP annually. The 2019-2020 PMMP showed that even with the establishment of two new overlay zones (BZ19 and BZ20) in 2019, BZ3 would still be underfunded by 2022-2023. Around this time, CCSD removed Rau Community Park from BZ3, and reclassified it as a district-wide amenity. CCSD justified shifting Rau Park from BZ3 to a district-wide asset because it is a sports-programmed park, removed from any neighborhoods, and used more by baseball and soccer leagues than by local residents. Nevertheless, since its reclassification, Rau Park has had its turf renovated, its basketball court resurfaced, a vandalized basketball hoop replaced, along with the acquisition of some metal benches and trash cans. Moreover, its parking lot is being swept for the first time in over 10 years. This is an example of park maintenance inequity.

Last year, seven parks in BZ3 remained without the added financial support of an overlay zone or reclassification as a district-wide facility. Accordingly, CCSD initiated another concerted outreach effort with the hope that greater community understanding would lead to the necessary support for additional revenue. Several underfunded parks (Jones, Karamanos, and Lombardi) enjoyed support from "community champions" who could lead the way in support of L&L fee increases. CCSD conducted community outreach meetings at the under-maintained parks as well as at the sites of the two as-yet unbuilt parks, Arcadian Village and Sheldon Place. Building upon these meetings, in November 2019, CCSD initiated a six-week survey process to see if BZ3 property owners would be more receptive to another ballot measure. The surveys were to be returned by December 16, 2019; but the rate of return and support for revenue increases were mixed at best, leaving CCSD staff uncertain how to proceed.

Parks in BZ6

In the 2016 PMMP, BZ6 (Central Elk Grove) was projected to have a deficit of \$17,125 by this fiscal year (2019-2020). That was primarily due to an expected increase of \$42,258 in operating costs, wiping out its reserve of \$25,133 from 2018-2019. This deficit occurred despite the fact that BZ6 has a district-wide amenity, Elk Grove Regional Park, within its borders, requiring all the other benefit zones to contribute to its upkeep. The projected 2019-2020 operating costs were \$667,158.

But in the 2019-2020 update of the PMMP, operating costs for BZ6 (Central Elk Grove) were reduced almost by one-half, to \$310,422. Even with \$8,852 in ALCP expenses this year, BZ6 was able to put money back into its reserves. Although the PMMP now shows that it is on track to be funded sustainably in the near future, it is only because CCSD is giving BZ6 time to build up its reserves so that it can pay for revitalization projects. The current L&L budget shows that Central Elk Grove still has \$2.1 million in unfunded PMMP projects, so only ALCP projects that are related to health and safety would be undertaken for the next few years.

Parks in BZ4

In the 2019-2020 update of the 10-year PMMP, there was a projection that BZ4 (West Laguna) would be in financial trouble by 2022-2023, despite the fact that it has one of the higher L&L assessment rates, at \$263. Within its borders, BZ4 also has a district-wide facility, Bartholomew Sports Park, which pulls revenue from other benefit zones. The PMMP shows that BZ4 will face a \$509,051 ALCP expense in 2022-2023, a 10-fold increase from the \$56,617 expense the year before. In 2022-2023, BZ4 will face another \$70,117 in ALCP expenses, leaving BZ4 even further in arrears (-\$404,170).

CCSD staff has started to prepare BZ4 residents and property owners for the pending funding shortfalls and educate them on the need to increase the L&L assessment fee. A series of community outreach meetings was initiated in March 2020, but most had to be deferred due to COVID-19 restrictions on public meetings.

District-wide Parks

As of 2019, CCSD has four district-wide parks: Elk Grove Regional Park, Camden Creek Greenbelt, Bartholomew Sports Park and Rau Community Park. As noted, these district-wide parks represent a funding outlay obligation for all benefit zones. When EGCSO formed an L&L district in 1994, one of the requirements was that each benefit zone would contribute assessment fee revenues to maintain district-wide amenities. The amount that each benefit zone would contribute was based on a formula that involved the number of EDUs and the amount of acreage of parks and trails maintained within each zone. Overlay zones do not contribute to district-wide facilities because property owners in these overlays already contribute through their underlying benefit zones.

CCSD maintains a separate budget for district-wide parks. In 2018-2019, the cost of maintaining three of these parks, prior to Rau Park's reclassification into a district-wide facility, was \$4,609,805. For 2019-2020, the budget for all four parks has dropped to \$3,920,331. The main reason for the drop is that the turf replacement project in Bartholomew Sports Park was completed last year.

Even if a benefit zone does not have sufficient funds to maintain its own parks, such as BZ3 in 2018, it still has an obligation to contribute toward the maintenance costs of district-wide parks. CCSD's rationale for this practice was that because all Elk Grove residents enjoy the benefits of district-wide parks, everyone should pay for their upkeep.

In 2018-2019, BZ3 contributed \$410,617 to district-wide expenses, with that amount dropping to \$303,139 in 2019-2020, due to a reduction in district-wide projects this year. BZ4 and BZ6 both experienced similar declines from \$334,633 and \$125,253, respectively, in 2018-2019 to \$308,689 and \$97,065, respectively, in 2019-2020. Nevertheless, even with reductions in district-wide expenditures, significant funding is diverted each year to district-wide parks, from benefit zones including those that are contending with their own funding shortfalls.

Lessons Learned

The above history of attempts to fund park maintenance in BZ3 and BZ6 sets forth the challenges of providing adequate revenue in a timely way to assure that these public assets are protected, preserved and fully available for public use. The administrative costs of annual Engineer's Reports, annual updates of the 10-year PMMP, the budgeting and management of 19 individual benefit zones and overlay districts, the extensive investment in public education of the program's detailed complexities, and the costs of surveying and conducting recurring localized elections all add to the difficulty and inflexibility of managing and preserving Elk Grove's parks.

The Balance in Authority over Parks Between CCSD and the City of Elk Grove

Despite LAFCO's stipulation regarding park services when it approved the incorporation of the City of Elk Grove in 2000, the legal challenges between CCSD and Elk Grove during 2005-2007, and the recurring renewal and expansion of MOUs between these two entities, there have been occasional suggestions that the City of Elk Grove should assume responsibility for Elk Grove's park and recreation functions.

As recently as December 19, 2018, while residents were still considering why CCSD had cut back on park services in BZ3, the Elk Grove Laguna News ran an editorial entitled "Is it time for the City of Elk Grove to take over parks?" The author noted that since the CCSD board had decided to hold by-district instead of at-large elections, the CCSD board would need to have one person represent Galt, since CCSD also provides fire protection services there. However, that would mean that there would be one board member who would not be elected by Elk Grove residents but would be making decisions exclusively affecting Elk Grove.

The editorial writer suggested that if that were the case, he would rather have the City take over the parks program, since all Elk Grove City Council members are elected by Elk Grove residents. The writer also criticized CCSD for not working with residents to ensure that parks were adequately maintained. The author also stated that administrative costs would be reduced because there were redundancies in staff between the City and CCSD.

According to several news reports, during a March 4, 2015 Elk Grove City Council retreat meeting, the then Vice-Mayor suggested that the City take over the parks and recreation functions from CCSD. At the time, the focus was on governance, and the Vice-Mayor observed there was overlap between the City and CCSD in providing services.

He also noted that since all the parks managed by CCSD were within the city limits, it would be easier for the City to take over that function and leave the fire protection services, which extended beyond Elk Grove into Galt, to CCSD. At that time, the City was actively engaged in park development by pursuing an aquatics complex at the proposed civic center site, and a softball complex at a 100-acre parcel near the City's eastern border. CCSD quickly responded that they were not interested in relinquishing its responsibilities to the City and defended CCSD's stewardship.

Three weeks later, this concept appears to have been set aside as the City Council was considering an MOU with CCSD that dealt with park development, an update from the 2011 MOU. Currently, seven of the parks managed by CCSD are funded by the City. CCSD tracks the expenses of these parks under the BZ17 designation, even though no L&L fees are involved. The MOU states that Elk Grove uses Mello-Roos taxes, or CFDs, to pay CCSD for services. Mello-Roos taxes are more flexible in that any increases are not subject to the restrictions imposed by Proposition 218. The creation of the Mello-Roos CFD must be approved by two-thirds majority of the people who will be paying the taxes. Elk Grove currently has three CFDs for funding park development.

FINDINGS

F1. The current multiple funding mechanisms are neither effective nor sustainable for managing Elk Grove's parks.

F2. Public confusion and misunderstanding are evidenced by the need for extensive and repeated community outreach meetings and the mixed success in securing timely voter approval for needed revenue increases. Contributing to this confusion are: the division in roles for Elk Grove's parks between the City of Elk Grove and Cosumnes Community Services District (CCSD); priorities among neighborhood and district-wide facilities; and the challenge of managing and understanding the park system as an integrated program.

F3. The 19 different Landscape and Lighting (L&L) district assessment rates, varying by as much as a factor of four, cause significant inequities for Elk Grove residents in terms of payments they make and benefits they derive from Elk Grove parks.

F4. The practice of contributing revenue from individual benefit zones to district-wide facilities as a priority ahead of funding parks within each benefit zone compounds the revenue shortages experienced by certain benefit zones.

F5. The requirement in Proposition 218 to secure a public vote in order to increase funding in excess of a Consumer Price Index (CPI) index is an unwieldy restraint that impedes adequate funding to maintain, repair and restore Elk Grove parks.

F6. The existing L&L assessment rates are insufficient to sustain maintenance, repair, and restoration for parks indefinitely. Specifically, in the short term, revenue from L&L assessment rates in BZ3 and BZ4 is insufficient to maintain, repair, and restore all parks in those benefit zones.

F7. The emphasis on individual benefit zones and overlay districts creates a complex and costly administrative burden requiring fragmented budgeting and management, and voter approvals to generate adequate revenue.

F8. The baseline budget for park maintenance, repair and restoration does not take into account, nor is it adequate to fund future park modifications or maintenance associated with new parks and programs.

F9. CCSD's practice of attempting to increase voter understanding and acceptance of financial responsibility for the parks program through various outreach efforts has had uneven results in terms of gaining greater voter participation and potentially influencing additional funding for this program.

F10. The City of Elk Grove and CCSD have not collaborated effectively to reform and restructure the system.

RECOMMENDATIONS

R1. CCSD and the City of Elk Grove, with the support of Sacramento County, should establish a Regional Task Force to examine the feasibility of replacing the existing system of funding park maintenance. The Regional Task Force membership should include all public officials whose constituents are directly affected. Observers may include representatives of all other related and interested agencies and constituencies such as Sacramento Local Agency Formation Commission (LAFCO), public and private advocates, etc. This recommendation should be completed by December 31, 2020.

R2. This task force should identify all relevant laws, ordinances, regulations, policies and procedures that might need to be amended, revised or abolished to replace the existing system with a more simplified, streamlined, equitable and sustainable funding mechanism, such as an annual assessment on all real property in the area based on the assessed value of each parcel. This recommendation should be implemented by June 30, 2021.

R3. CCSD and the City of Elk Grove together should evaluate and report to the Regional Task Force on the effect of reversing the existing practice of first transferring new revenues to district-wide and regional facilities, before budgeting for local park maintenance. This recommendation should be implemented by June 30, 2021.

R4. CCSD and the City of Elk Grove together should analyze and report to the Regional Task Force on the added short-term and long-term costs of the additional staffing and consultant services required for the practice of budgeting and managing 19 individual benefit zones and overlay districts in comparison with budgeting and managing these zones on an integrated basis. That analysis should include an examination of the additional costs for any new parks and zones created over the next decade. That analysis should also examine the costs of conducting educational sessions, surveys and elections, as well as preparing Engineer's Reports to authorize L&L assessment fee increases. This recommendation should be implemented by June 30, 2021.

R5. CCSD and the City of Elk Grove together should conduct and report to the Regional Task Force an integrated analysis of all current revenue and projected revenue over 10 years to be collected for park maintenance, repair and restoration over the same period. Such an assessment will help gauge the adequacy of current and projected revenue without regard to the fragmentation of those resources under the current management structure. This recommendation should be implemented by June 30, 2021.

R6. CCSD and the City of Elk Grove together should analyze and report to the Regional Task Force on the 10-year growth of revenue permitted under the CPI growth factor, compared with a 10-year forecast of costs associated with park maintenance, repair and restoration. This recommendation should be implemented by June 30, 2021.

R7. CCSD and the City of Elk Grove should adopt the plan developed by the Regional Task Force for implementation of a new system including relevant MOUs to enable agencies responsible for collecting appropriate tax revenues sufficient to provide park services and maintenance within all neighborhoods. This recommendation should be completed by June 30, 2021.

GLOSSARY

ALCP	Asset Life Cycle Plan
Benefits Received	The basis for establishing assessment rates within a benefit zone or an overlay district as determined by the Engineer's Report.
BZ	Benefit Zone: an area established by CCSD in which a specified assessment fee is collected to fund park maintenance in that area.
CCSD	Cosumnes Community Service District – A special district under California Code Section 56036a -- A special district is an agency of the State, formed pursuant to general law or special act, for the local performance of government or proprietary functions within boundaries. A special district

	may cross city boundaries and county boundaries.
CFD	Community Facilities Districts, also known as Mello-Roos
CIP	Capital Improvement Projects
CPI	Consumer Price Index
EDU	Equivalent Dwelling Unit: a value based on type of use - single-family home is 1.0 EDU, mobile home is 0.75 EDU
EGCSD	Elk Grove Community Services District
LAFCO	Local Agency Formation Commission
LRSP	Laguna Ridge Specific Plan
L&L	Landscape and Lighting (District)
MOU	Memorandum of Understanding
Overlay District	An area within one or more benefit zones in which voters have approved a supplemental assessment for park maintenance within that area.
PMMP	Park Maintenance Master Plan
Proposition 218	California Proposition 218 Ballot Initiative - A California Constitutional Amendment that redefined local and regional government finance in California. Effective November 6, 1996.
Quimby fees	The Quimby Act, within the Subdivision Map Act, authorizes the legislative body of a city or county to require the dedication of land or the imposition of fees for park or recreational purposes as a condition of the approval of a tentative or parcel subdivision map.

REQUIRED RESPONSES

Pursuant to Penal Code sections 933 and 933.05, the 2019-2020 Sacramento County Grand Jury requests responses from the following elected officials within 60 days:

- Mayor Steve Ly
 City of Elk Grove
 8401 Laguna Palms Way
 Elk Grove, CA 95758
- Orlando Fuentes
 President
 Cosumnes Community Services District, Board of Directors
 8820 Elk Grove Boulevard
 Elk Grove, CA 95624

Pursuant to Penal Code sections 933 and 933.05, the 2019-2020 Sacramento County Grand Jury requests responses from the following entities within 90 days:

- City of Elk Grove, City Council
8401 Laguna Palms Way
Elk Grove, CA 95758
- Cosumnes Community Service District, Board of Directors
8820 Elk Grove Blvd.
Elk Grove, CA 95624

Mail or deliver a hard copy response to:

- Hon. Russell Hom
Presiding Judge
Sacramento County Superior Court
720 9th Street
Sacramento, CA 95814

Please email a copy of this response to:

- Paul Thorn
Jury Commissioner
ThornP@saccourt.ca.gov
- Ms. Erendira Tapia-Bouthillier
Grand Jury
TapiaE@saccourt.ca.gov

INVITED RESPONSES

- Phil Serna
Chairman
Sacramento County Board of Supervisors
700 H Street, Suite 2450
Sacramento, CA 95814
- Jason Behrmann
City Manager
City of Elk Grove
8401 Laguna Palms Way
Elk Grove, CA 95758

- Joshua Green, CCSD General Manager
Cosumnes Community Services District
8820 Elk Grove Boulevard
Elk Grove, CA 95624

Mail or deliver a hard copy response to:

- Hon. Russell Hom
Presiding Judge
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Please email a copy of this response to:

- Paul Thorn
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- Ms. Erendira Tapia-Bouthillier
Grand Jury
TapiaE@saccourt.ca.gov

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.
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**IMPACT OF GENTRIFICATION AND NEIGHBORHOOD REVITALIZATION
ON THE DISPLACEMENT OF RESIDENTS**



The Capitol Park Hotel was once a Single Room Only (SRO) complex that is now serving as a temporary shelter for the homeless. It still houses a number of SRO residents. Mercy Housing plans to convert the building into 134 permanent supportive housing units after the temporary shelter closes.

IMPACT OF GENTRIFICATION AND NEIGHBORHOOD REVITALIZATION ON THE DISPLACEMENT OF RESIDENTS

SUMMARY

This investigation, by the 2019-20 Sacramento County Grand Jury, centers on examining the effects of revitalization of former Single Room Occupancy (SRO) properties in Downtown Sacramento on its current and previous residents - those of low income, seniors, and the disabled. Although revitalization of Downtown Sacramento is core to the city's economic development, the Grand Jury is concerned about its effect on these residents.

Through its investigation, the Grand Jury discovered a lack of transparency in regard to these displaced residents. The Grand Jury was unable to determine if, how and where all of the former residents were relocated. Have their situations improved or are they presently homeless? The Sacramento Housing and Redevelopment Agency (SHRA) is responsible for ensuring these residents find another residence and are compensated. The only report showing statistics of displaced residents is the weekly update report of the Capitol Park Hotel residents on SHRA's website. Reports should be further developed to provide information on the placement status of all dislocated SRO residents.

Interviews with stakeholders, city and county officials, as well as SHRA, which partners with Sacramento Steps Forward (SSF) and other non-profit agencies, revealed a current lack of coordination and clear lines of responsibility among the agencies. We did not interview residents because of privacy issues. The current Grand Jury looked specifically at SRO displaced residents but was unable to determine if they were presently in stable long-term housing or have migrated to homelessness.

There is evidence of progress through the recent development of the Sacramento Homeless Policy Council. This Council will bring together representatives of the county, all of the cities within the County, itself and SHRA. Sacramento Steps Forward, as a primary convener, will provide administrative support to the SHPC as funding permits. This is a promising new alliance that may improve collaboration and provide procedures to prevent possible displacement issues. SSF also currently partners with Kaiser Permanente, the University of California, Davis, Sutter Medical Centers, Dignity Health and local business associations.

BACKGROUND

Sacramento is revitalizing and/or replacing older residential hotels, many of which are designated as historic buildings and were once classified as SROs, especially in Downtown

Sacramento. A residential hotel is defined as any building containing six or more rooms intended to be occupied and rented for sleeping purposes by tenants.

This revitalization could exacerbate the shortage of decent, safe, sanitary and affordable rental housing for very low-income, senior and disabled residents. One of these revitalized or replaced buildings is the Hotel Berry, which is now the Studios at the Berry on 8th and K Street. This revitalization required at least a temporary relocation of those residents. Another is the Capitol Park Hotel at 9th and L, which is temporarily being repurposed as a homeless shelter and will later be further renovated again as an SRO. The Marshall Hotel on 7th Street between K & L Streets has been demolished except for the historic façade and will become a Hyatt Centric Hotel. These are just a few examples where SROs provided housing for very low income, disabled and senior residents in the past.

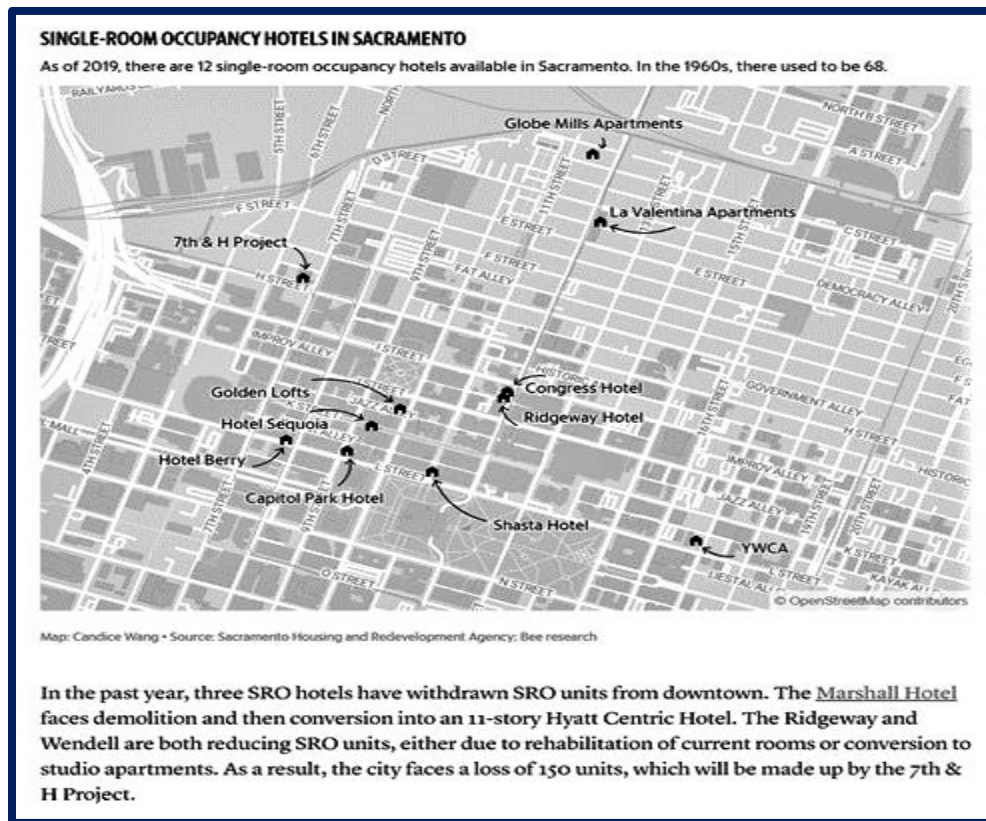
Where are the previous residents of these SROs? Have they been relocated or dislocated? Have their home situations improved or deteriorated? Do they have access to needed services such as grocery stores, mental and physical health providers, drug stores and transportation? Was their relocation assistance adequate? Did they receive assistance to find a location that meets their needs? What are the responsibilities of government, non-profit organizations or developers to meet the needs of these displaced residents? Interviews revealed that many of them are disabled and/or senior citizens with mobility issues which complicates the relocation process. These are the questions the Grand Jury set out to answer but was not able to get the information needed. That led the Grand Jury to the question – how transparent is the process?

History

In 1961 there were approximately 78 hotels in the downtown area. Sixty-eight of those have been demolished or repurposed for commercial use. These hotels provided 3,558 SRO housing units. By 1986, there were only 1,013 SRO units left and by 2006 the number was only 712 units distributed among 10 residential hotels. That represents an 80 percent reduction in housing, which is no longer available for these very low income, senior and disabled residents. Is 712 enough to address the needs of a vulnerable population?

As of 2019, there were 13 residential complexes totaling 762 SRO units. Capitol Park is counted in these numbers. The others include Congress, Sequoia, Golden Lofts, 7th and H Project, The Suites at the Berry, Ridgeway, Shasta, YWCA, Cannery Place, Globe Mills, La Valentina and The Warehouse Artist Lofts (WAL). The map shown in Figure 1 does not include WAL or Cannery Place which are outside the borders of this map.

Figure 1. Map showing locations of SRO complexes in Sacramento



Source: Sacramento Housing and Redevelopment Agency

Interviews of elected officials, City and County employees and non-profit organizations indicated there has been mounting pressure to demolish or convert some of these remaining residential hotels. Since revitalization of Downtown Sacramento continues to be at the core of economic development, the Grand Jury is concerned about the people who are being adversely affected by the loss of these SROs. Without relocation assistance to help them find comparable accommodations within the same general area, they would be unable to continue using services, transportation and social opportunities familiar to them.

The Uniform Relocation Assistance and Real Property Acquisition Act (URA) was passed by the federal government in 1970. It was intended to ensure fair compensation and assistance for those whose property was compulsorily acquired for public use under "eminent domain" law. This law applies to residents who are dislocated and is in compliance with Sacramento City Code 18.20.060 and California Government Code Sections 7260-7277. These provisions are used for all SHRA projects but are particularly applicable to the SRO relocations. We could not determine if they take advantage of it.

The City of Sacramento adopted Title 18 – the SRO ordinance in 2006 that mandates a minimum 712 SRO units must remain available for these residents. Under this City Code, a resident of the SRO hotel slated for destruction or renovation is entitled to relocation services. The relocation plan is a written document that sets forth the owner’s commitment to the residents to help them relocate to a comparable unit and/or receive assistance for relocation. The tenant can choose to be: (a) relocated, (b) relocated with supplemental funding for up to 5 years, or (c) provided with funds without relocation by SHRA. Residents may also walk away without any plan and make their own arrangements. Some residents opt to live with family or friends. SROs traditionally provided affordable housing for single individuals with extremely low incomes. The disabled and seniors have been saved from homelessness by available SROs. The formerly incarcerated, including convicted felons, have also been accommodated.

On November 1, 2016, The Sacramento City Council amended the Residential Hotel Unit Withdrawal, Conversion, and Demolition Ordinance (City Code 18.20) removing seven of the 11 rehabilitated, regulated or replaced SROs and requiring the remaining four un-rehabilitated SROs to remain on the list. The four SRO Residence Hotels still subject to the ordinance are Capitol Park, Congress, Golden and Sequoia.

Financial assistance is available to displaced residents through fixed payments or actual reasonable moving expense payments. Residents may be entitled to a Replacement Housing Payment not to exceed \$7,200 for down payment on another unit. The residents may also be entitled to up to 42 months of supplemental payments where the new housing costs exceed the current housing rate the resident is entitled to pay. A displaced household has up to one year to qualify for benefits and six additional months to provide substantiating documentation. Relocation is not considered complete until all households qualifying for relocation have been relocated to comparable, decent, safe, and sanitary units.

SHRA

The Sacramento Housing and Redevelopment Agency (SHRA) was created as a Joint Powers Authority (JPA) in 1981 by the Sacramento City Council and Sacramento County Board of Supervisors. SHRA brings together financial resources and staff expertise to revitalize lower-income communities, create affordable housing opportunities, and serve public housing residents in Sacramento. The members of the JPA are the City of Sacramento, the County of Sacramento, the Housing Authority of the City of Sacramento, and the Housing Authority of the County of Sacramento. SHRA is the lead agency for the Sacramento City and County Consolidated 5-year Plan for allocating federal housing and community development block grants provided by the U.S. Department of Housing and Urban Development (HUD). SHRA administers the Community Development Block Grant (CDBG), Housing Opportunities for Persons with AIDS (HOPWA), HOME Investment Partnership Program (HOME) and Emergency Solutions Grant (ESG) funds on behalf of the City and County.

SHRA is the central coordinating organization for relocating displaced individuals. The agency is a partner with the City and County of Sacramento on community redevelopment projects and development of affordable housing units. According to the SHRA website, the Sacramento Housing and Redevelopment Agency was created to ensure the ongoing development of affordable housing and to continuously fuel community redevelopment projects in the city and county of Sacramento. SHRA publishes an Annual Report detailing its plans for coming years and listing activities and accomplishments. The SHRA Annual Report for 2018 reported a \$198 million budget. The SHRA Annual Budget for 2020 is \$211.9 million.

Although this Grand Jury concentrated on Downtown Sacramento, it is important to note, SHRA is responsible for all areas of the County of Sacramento. This includes the redevelopment work taking place on 65th Street, Alkali Flat, Army Depot, Del Paso Heights, North Sacramento and the Oak Park project areas. SHRA also oversees the City/County shared areas of Auburn Boulevard, Franklin Boulevard and Stockton Boulevard project areas. The City manages the Merged Downtown and Richards/Railyards project areas.

Sacramento Steps Forward

Sacramento Steps Forward (SSF) is a 501(c) (3) nonprofit organization, formed in 2011, committed to ending homelessness in our region through collaboration, innovation and connecting people to services. SSF works with homeless individuals, advocates, service providers, non-profits, faith-based communities, policymakers, elected officials, citizens, public agencies and businesses. SSF coordinates with a broad-spectrum of public, private and non-profit organizations in order to find housing for the unsheltered or people at risk of losing their housing.

The Grand Jury of 2018-2019 addressed the issue of homelessness with recommendations for action that included better coordination between entities. The Grand Jury of 2019-2020 is attempting to determine if gentrification and revitalization lead to an increase in displacement of SRO residents. These SRO residents are a vulnerable population in need of an organizational model to successfully monitor results. There needs to be a higher level of transparency to monitor activities and ensure successful and permanent placement. The Sacramento Homeless Policy Council (SHPC) was just established to address coordination and transparency.

METHODOLOGY

The 2019-2020 Grand Jury conducted research using the following news and information sources:

Internet, The Sacramento Bee and Sacramento News and Review articles:

- “After the Hotel Uncertainty, Will Downtown Homeless Shelter Project Lead to Different People Being Homeless,” Sacramento News & Review, October 3, 2019

- City of Sacramento, Housing Authority/City Council Report, “(City Council/Housing Authority) Commitment to Housing Authority/Sacramento Housing and Redevelopment Agency Focused Meetings,” February 11, 2020
http://sacramento.granicus.com/ViewPublisher.php?view_id=22
- Sacramento City Council Report, “SHRA Proposed Homeless Services Five-Point Plan,” October 22, 2019
https://sacramento.granicus.com/MetaViewer.php?view_id=21&event_id=3558&meta_id=567773
- Sacramento City Code, Title 18, Chapter 18.20 “Relocation Benefits Pertaining to Residential Hotel Unit Conversion or Demolition,”
<https://www.qcode.us/codes/sacramento/>
- County of Sacramento “Background and Overview of the Joint Powers Authority of the Sacramento Housing and Redevelopment Agency,” January 31, 2017
http://sacramento.granicus.com/MetaViewer.php?view_id=22&clip_id=3935&meta_id=490578
- HUD User Website
 - Home Page: <https://www.huduser.gov/portal/home.html>
 - Data page: <https://www.huduser.gov/portal/datasets/il.html#2020>
- Sacramento Housing and Redevelopment Agency website
 - SHRA: <https://www.shra.org/>
 - Meetings; <https://www.shra.org/transparency/board-agenda/>
- Current and planned relocation project plans such as SHRA’s “Book of Projects,”
<https://www.shra.org/book-of-projects/>
 - SHRA’s “Book of Projects – Community Development” contains three sections:
 - Completed Projects (30 completed projects)
 - Projects Under Constructions (four projects)
 - Completed Projects (seven projects)
- Sacramento 2019 Point-in-Time Report, “Homelessness in Sacramento County,” prepared and published by California State University, Sacramento for Sacramento Steps Forward, <https://sacramentostepsforward.org/wp-content/uploads/2019/06/2019-Final-PIT-Report-1.pdf>
- Sacramento Grand Jury Reports, <https://www.saccourt.ca.gov/grand-jury/reports.aspx>
 - Sacramento Grand Jury Annual Report_2018-2019, “Addressing Homelessness in Sacramento County: An Extraordinary Community Challenge”
 - Sacramento Grand Jury Annual Report 2016-2017, “Homeless Crisis Continues”
 - Sacramento Grand Jury Annual Report 2015-2016, “Homelessness: A State of Emergency”

Reviewed available documentation of major stakeholders:

- City of Sacramento; “Anti-Displacement/Gentrification Study, Sacramento Central City Specific Plan,” May 24, 2018,
http://www.cityofsacramento.org//media/Corporate/Files/CDD/Planning/Long-Range/Gentrification-Displacement-Whitepaper_5_24_18_.pdf
- City of Sacramento project resources, <http://www.cityofsacramento.org/Community-Development/Planning/Major-Projects/Central-City-Specific-Plan/Resources>
- County of Sacramento website, <https://www.saccounty.net/Pages/default.aspx>
 - Planning and Environmental Review
<https://planning.saccounty.net/Pages/default.aspx>
- County Board of Supervisor Meeting Minutes, “Background and Overview of the Joint Powers Authority of the Sacramento Housing and Redevelopment Agency,” March 31, 2017
- SHRA’s proposed 2020 Public Housing Agency (PHA) Five Year Plan, as presented to the Sacramento Board of Supervisors, September 4, 2019
- Sacramento Housing and Redevelopment Commission meeting (SHRA presentation), Sept. 18, 2019
- SHRA’s 2020 Approved Budget,
<https://www.shra.org/wpcontent/uploads/2020/01/SHRA-2020-Approved-Budget.pdf>
- Downtown Sacramento Partnership Mission and Vision
<https://www.downtownsac.org/services/safe-streets/homeless-outreach/>
- Sacramento Steps Forward Mission and Vision, <https://sacramentostepsforward.org/>
Housing First Statistics, <https://sacramentostepsforward.wordpress.com/tag/housing-first/>
- National Alliance to End Homelessness publication, “What is Housing First?”
<https://endhomelessness.org/resource/housing-first/> April 20, 2016
- “Kaiser Permanente Donating 32 Million for Housing and Homelessness in Sacramento,” Sacramento Business Journal, February 20, 2020
<https://www.bizjournals.com/sacramento/news/2020/02/20/kaiser-permanente-donating-32-million-to-fight.html>
- “Fighting Gentrification and Displacement – Emerging Best Practices,” The Next System Project, a Project of the Democracy Collaborative, February 19, 2020
<https://thenextsystem.org/fighting-gentrification-best-practices>,

Interviews with:

- Elected officials and staff representatives from the Sacramento City Council
- Elected officials from the Sacramento County Board of Supervisors
- Senior staff from SHRA, City and County housing related offices

- Senior staff from Sacramento Steps Forward
- Senior staff with Downtown Sacramento Partnership

DISCUSSION

The purpose of this report is to determine if and how revitalization and gentrification are leading to an increase in the number of displaced residents. The Grand Jury concentrated on the relocation of former residents of the Downtown Sacramento SRO hotels and hoped to learn the total number affected, where they have gone and the length of the relocation process. The Grand Jury also wanted to understand timelines for other SRO properties that are planned for renovation or conversion and the number of individuals who might be affected by property revitalization and gentrification. This information was not provided to the Grand Jury.

The Grand Jury sought to determine how the plans were developed for housing affected individuals, what resources are committed to relocation and how these individuals are tracked to ensure they have adequate housing choices. It is a complex issue to find appropriate housing and to convince those at risk of displacement to leave the familiar and move to the unknown. It is also challenging to find locations for difficult-to-place tenants, for example those with criminal records, mental health issues and special needs.

The investigation began by reviewing the impact on residents of the renovations to the Berry Hotel, the Shasta Hotel and the Capitol Park Hotel - all three of which were SROs that had been or were in the process of being converted. The Grand Jury found that the conversions of all three facilities appear to have been well-planned and, when completed, will meet the intent of the law and the needs of the community.

The Berry Hotel

The Berry Hotel at 8th and L Streets was built in the 1920's and was once considered one of Sacramento's finer hotels. Over time, it became one of many older structures in Downtown Sacramento housing mostly older, male and low-income residents.

After repeated and failed attempts by other developers, The Jamboree Company partnered with SHRA to bring the structure up to code – including a seismic retrofit – and to update what had become a blighted eyesore in deplorable condition. The renovation, completed in 2012, included a retention of all historic marquees, signage and roof details on a historically-significant building. It is now known as The Studios at Hotel Berry and is comprised of 105 affordable studios for individuals, veterans and those with special needs. All studios are filled and residents benefit from onsite programs that focus on job skills, health and wellness and community building. This project was the 2018 winner of the Housing Innovation Award, Sacramento Regional Affordable Housing Summit by the Sacramento Housing Alliance.

Shasta Hotel

Another revitalized SRO is the Shasta Hotel at 1017 10th Street, an 80-unit SRO hotel. The building is composed of two historic structures, the former Argus Hotel, and the Shasta Hotel (formerly known as the Inverness Building, which housed medical offices). In 1989, the buildings were declared unsafe to occupy and sat vacant until remodeled in 1994 with funding from SHRA, California Housing Rehabilitation Program, and National Equity Fund, Inc.

This development will preserve 78 homes for special needs and homeless individuals and greatly expand tenant community spaces. LifeSTEPS, a Sacramento based social services firm, will be providing life training skills, education, financial literacy, and health services to all residents. Shasta Hotel is in a walkable and service rich location within downtown Sacramento. Residents will continue to have excellent access to grocery, medical, and transportation. This is a low-income housing community with rent and income restrictions based on the AMI (Area Median Income).

7th & H

Mercy Housing's 7th & H complex is a mixed-use affordable housing development, constructed in 2012, that provides 150 studios and one-bedroom apartments in an eight-story building. 7th & H presently has no vacancies. The mixed-use aspect includes extensive community space, comprehensive resident services, a health clinic and ground floor commercial retail spaces. This new building incorporates many environmentally sustainable features. The 7th & H complex has been used to house residents temporarily displaced during the conversion of SRO residences, including the Berry, Shasta Hotel and Capitol Park Hotel. Some of the previous residents of The Marshall Hotel, which is being converted into an 11-story Hyatt Centric Hotel, as well as other renovated properties such as The Ridgeway and The Wendell, which were converted to apartments, have been relocated to the 7th & H complex.

Capitol Park Hotel

The City of Sacramento entered into an Administrative Services Agreement with SHRA to operate a temporary shelter at the Capitol Park Hotel in downtown Sacramento to house 100-180 homeless people through October 2020. SHRA is partnering with Volunteers of America (VOA) to oversee the onsite shelter operations, SSF to refer homeless persons to be sheltered, and John Stewart Company (JSCo) as the property manager for the homeless shelter. Entry to the Capitol Park Hotel Temporary Shelter is through a closed referral process.

After the end of the homeless shelter operation, Mercy Housing anticipates construction to begin to renovate the building and convert the hotel into 134 units of permanent supportive SRO housing.

The Capitol Park Hotel is presently housing both homeless and previous SRO residents. The Grand Jury was unable to determine from our review of the documentation and reports

provided by SHRA if the homeless and SRO residents are co-located or are housed in separate areas.

According to the SHRA website (www.shra.org), as of April 24, 2020, the Capitol Park Hotel Temporary Shelter was housing 72 guests in its 180-unit facility - 44 males, and 28 female guests. Eight are between the ages of 18-24; 52 guests are between the ages of 25-61; and 12 guests are over age 62. In addition to the temporary guests, 20 of the original residents still remain in the facility. Forty-nine residents have received relocation benefits and moved to their new homes. Eleven residents moved out without assistance from SHRA. Residents have the option of moving with or without assistance. Some chose to stay until an option is available to maintain their independence and/or stay close to the neighbors they have bonded with throughout the years. This is the only report the Grand Jury was able to obtain after multiple Presently, there are onsite providers in some of the SROs that provide assistance to residents and guests. These include, but are not limited to Veteran Affairs physicians, American River College, California State University, Sacramento, Sacramento Self Help Housing, Volunteers of America, WellSpace, Sacramento County Mental Health and Alcoholic Anonymous.

Book of Projects

In 2019, SHRA published a “Book of Projects for Community Development in Sacramento County.” In the “Book of Projects,” there is an extensive listing of housing projects completed, projects in progress and projects planned in future years. SHRA also outlined its mission, its vision and its goals in the document.

Within the County of Sacramento, there are 24 projects completed, three projects under construction and eight projects planned in the near future. The projects currently under construction are the 700 Block of K Street, the Bing Kong Tong Building, and the El Paso Nuevo V. The approved projects include Village Park, St Francis Terrace, Bel Vue Apartments, Southwind Court Apartments, Victory Townhomes, Dixieanne Apartments, Norwood Annex, and Imperial Tower Apartments. These are not classified as SROs but they do represent low-income housing which will become available to SRO tenants if they are displaced. This allows SHRA more options for placements.

In each of our interviews, the Grand Jury questioned whether the provisions of Title 18 are being met and how well SHRA and other members of the JPA are collaborating and working well together. In other words, to determine whether the JPA, SHRA and SSF are accomplishing their mandates in an effective way.

Figure 2 –Screenshot of SHRA’s Capitol Park Hotel Temporary Shelter weekly report



Capitol Park Hotel Temporary Shelter

Update at a Glance: Week of April 24, 2020

<u>Capitol Park Hotel Temporary Shelter (CP) Status</u>	<u>Gender</u>	<u>Age</u>	<u>Guests</u>	<u>Services</u>
Current Week	44 Males	8 18-24	72 Guests	1,033 Meals
72 CP guests stayed this week	28 Females	52 25-61	Guests are being referred by Sacramento Steps Forward once again	521 Bed nights
	0 Other	12 62+		
Project Year to Date (PYTD)	230 Males	36 18-24		29,320 Meals
353 CP guests were enrolled total	122 Females	277 25-61		19,392 Bed nights
	1 Trans Female	40 62+		

Guest Services



At this time we are taking COVID preventive measures and postponing all on-site visits of our outside partners

On-Site Providers

Guests' Success– PYTD

Housed

- 100 guests have moved into Permanent Housing (*Primarily in Sacramento County*)
- 3 guests staying with friends and family on a temporary basis
- 1 guest moved into transitional housing

Gained Employment

- 11 guests

Building Condition



- Café space replaced damaged ceiling tiles and addressed plumbing issues in preparation for shelter guest use.

Relocation of Residents



- 49 residents received relocation benefits and moved to their new homes:
 - * Sacramento County: 33
 - * Out of State: 1
 - * Yolo County: 12
 - * Other County in CA: 3
- 11 moved out without assistance
- 20 residents remain

The 2018-19 Grand Jury addressed these same questions within its report which included how SHRA, SSF and the JPA worked to address homelessness. When individuals were interviewed during 2019-20, it was difficult to determine if the coordination among the agencies had improved. City and County representatives stated they do talk regularly and they meet weekly. The JPA meets monthly. The general consensus among those interviewed by the 2019-2020 Grand Jury was that coordination had not improved and duplication of effort and inconsistent messaging is problematic.

The response received from the City of Sacramento relating to the 2018-19 Grand Jury recommendations described a plan to hire a consultant to address collaboration and coordination among members of the JPA. Sacramento Homeless Policy Council (SHPC) is a newly appointed council of primarily elected officials representing Sacramento County, and the cities of Citrus Heights, Elk Grove, Galt, Isleton, Folsom, Rancho Cordova, and Sacramento. Its stated mission is to provide broad-based, collaborative, and strategic leadership on Sacramento's regional response to the crisis of homelessness. This Council will be staffed by SSF. SHPC is scheduled to begin meeting in May 2020.

The SHPC objectives include:

- providing strategic leadership and consensus policy direction on solutions to address the homelessness crisis and resolve the primary factors contributing to housing instability and literal homelessness;
- championing and promoting alignment of policies and approaches that, when aligned, result in improved outcomes for persons and families experiencing homelessness;
- providing review and support implementation of the Sacramento County Homeless Plan adopted in December 2018; and
- providing a public forum for sharing information and best practices for addressing homelessness in Sacramento.

Kaiser Permanente has committed \$32 million to help the Sacramento area address homelessness and housing insecurity. "Housing insecurity has a negative impact on health and will require an all-hands-on-deck approach to solving this problem," said Greg Adams, Chairman and CEO of Kaiser Permanente. "Our mission to improve the health of our members and their communities demand that Kaiser Permanente continues to lead, support, and catalyze others to address the public health issue of homelessness and housing insecurity." SRO residents are examples those facing housing insecurity. Efforts should be made to ensure these residents don't fall into homelessness. Working in collaboration with Sacramento Mayor Darrell Steinberg, county leaders, and other key stakeholders, Kaiser Permanente is implementing a strategic approach to:

- Invest up to \$25 million to preserve and create affordable and supportive housing. The first installment of these funds will preserve 172 affordable housing units in three Section 8 properties in Sacramento and Rancho Cordova

- Invest up to \$25 million to preserve and create affordable and supportive housing. The first installment of these funds will preserve 172 affordable housing units in three Section 8 properties in Sacramento and Rancho Cordova
- Commit \$2 million to leverage Kaiser Permanente’s national partnership with Community Solutions and its Built for Zero initiative to support systems change working with cities, counties, and other key stakeholders
- Invest \$5 million in operating costs to expand emergency shelter capacity in Sacramento. This is in addition to the \$6 million previously given to address immediate needs of people experiencing homelessness in Sacramento

The consulting firm, Community Solutions, began meeting, under this Kaiser grant, the first week of March 2020. There have not been any reports or minutes published to date. Perhaps with the help of these new organizations and funding, Sacramento can further research best practices from other cities. Cities throughout the nation have looked for solutions to the impact of economic development and gentrification on those residents who have long relied on very inexpensive housing options to prevent them from living on the streets. What has worked well? Which options has Sacramento researched? For a number of years, the Sacramento economic development community, including the Chambers of Commerce, has arranged visits to other cities to research best practices. A publication entitled “Fighting Gentrification and Displacement – Emerging Best Practices,” a Project of the Democracy Collaborative, shares results from a broad array of cities. How might these projects inform Sacramento?

FINDINGS

F1. Clear lines of responsibility regarding relocation of Single Room Occupancy (SRO) clients have been difficult to determine. Opinions from interviewees indicate the agencies were not always working collaboratively, sharing information and consistently messaging.

F2. The Grand Jury found no evidence that a study of best practices from other cities has been performed or communicated.

F3. The Grand Jury found that the conversions of The Berry, The Capitol Park and the Shasta facilities appear to have been well-planned and meet the intent of the law and the needs of the community.

F4. Sacramento Housing and Redevelopment Agency (SHRA) did not provide the Grand Jury information on reporting or tracking individual residents of SROs who were displaced. Therefore, it could not be determined whether those occupants who may have been compensated have relocated, whether the relocation was successful or, worst case, if the resident spent the money and may now be homeless.

F5. The Grand Jury Report for 2018-2019 recommended seeking assistance to look at the actions and coordination of the stakeholders. As a result of those recommendations, The Sacramento Homeless Policy Council (SHPC) was formed which will impact future relocated tenants.

F6. Kaiser Permanente is funding support to help SHPC develop oversight, stronger collaboration and a coordinated plan.

F7. While SHRA has the legal mandate for housing individuals displaced by gentrification, several initiatives and/or agencies including Sacramento Steps Forward (SSF), Volunteers of America, and Continuum of Care are involved in various aspects. It is not clear which entity makes the final decision, which initiates policy and which manages implementation regarding development of plans and re-housing those impacted by gentrification.

F8. The Joint Powers Agency (JPA) members - Sacramento City, Sacramento County and SHRA - are making efforts to work more collaboratively along with Sacramento Steps Forward and the newly formed Sacramento Homeless Policy Council along with Community Solutions.

F9. Sacramento City Code mandates a minimum of 712 SRO rooms must remain available at all times. As of July 3, 2019, the City had 762 rooms including those at the new complex at 7th & H which indicates they are maintaining the mandated levels. The question remains whether that is an adequate number today.

RECOMMENDATIONS

R1. The Joint Powers Authority along with Sacramento Steps Forward and Sacramento Homeless Policy Council should collaboratively develop a single uniform plan relating to SRO displacement that would improve transparency, coordination, accountability and reduce duplication of efforts between the stakeholders by June 30, 2021.

R2. The Joint Powers Authority and Sacramento Steps Forward should develop a task force, utilizing the Sacramento Homeless Policy Council, to include representatives of all agencies involved in plans for gentrification throughout the County of Sacramento and especially Downtown Sacramento. This task force should research best practices of other jurisdictions to learn how they manage their efforts to protect residents of housing slated for gentrification and issue a report of findings by June 30, 2021.

R3. The current mandate of maintaining 712 SRO units may not be an adequate number. SHPC should study the number of SRO units needed in 2020 and beyond and provide a report of findings by March 31, 2021.

R4. Placements for residents of all SROs being repurposed or revitalized need to be monitored and publicly reported. To facilitate greater understanding and ensure improved transparency of the placement process, the SHRA website could be utilized to contain reports similar to the Capitol Park Hotel Resident Relocation Report for all SRO property renovations. SHRA should provide the elements and timeline of these reports by March 31, 2021.

GLOSSARY

AMI—Area Median Income is the midpoint of a region’s income distribution. For housing policy, income thresholds set relative to the area median income identify households eligible to live in income-restricted housing units and the affordability of housing units to low-income households.

AOD—Alcohol and Other Drugs

APS—Adult Protective Services

CADA —Capitol Area Development Authority is a public agency charged with creating urban infill housing; managing residential and commercial properties owned by the state; and enhancing the State Capitol environment. CADA functions much like a private property management and development company.

CoC—Continuum of Care is a program designed to promote communitywide commitment to the goal of ending homelessness; provide funding for efforts by nonprofit providers, and State and local governments to quickly rehouse homeless individuals and families while minimizing the trauma and dislocation caused to homeless individuals, families, and communities by homelessness; promote access to and effect utilization of mainstream programs by homeless individuals and families; and optimize self-sufficiency among individuals and families experiencing homelessness.

Gentrification – Gentrification is a process of changing a neighborhood through the influx of more affluent residents and businesses.

HCD—California Department of Housing and Community Development

HEAP—Home Energy Assistance Program

HHAP—Homeless Housing, Assistance and Prevention

Housing First—Their stated approach is to offer permanent, affordable housing as quickly as possible for individuals and families experiencing homelessness, and then to provide the supportive services and connections to the community-based supports to retain

their housing and avoid returning to homelessness. A concept adopted by multiple jurisdictions that promotes homes over sheltering.

HUD—U.S. Department of Housing and Urban Development

JPA— Joint Powers Authority - permitted under Section 6502 of the State Government Code

Mercy Housing—A national nonprofit organization and one of the nation’s largest affordable housing organizations.

MHSA—Mental Health Services Act - also known as Proposition 63, was enacted by voters in November 2004.

Residential Hotel—Any building containing six or more rooms intended or designed to be used, or which are used, as the primary residence for tenants. Also, known as Single Room Occupancy (SRO) hotels.

SHPC—Sacramento Homeless Policy Council

SHRA—Sacramento Housing and Redevelopment Agency

SRCEH—Sacramento Regional Coalition to End Homelessness

SRO--Single Room Occupancy

SSF—Sacramento Steps Forward.

SSH -- Sacramento Self-Help Housing.

Title 18 Chapter 18.2—Sacramento City Code Title 1—Additional Development Requirements. Chapter 18.20 – Relocation Benefits Pertaining to Residential Hotel Unit Conversion or Demolition.

URA—The Uniform Relocation Assistance and Real Property Acquisition Act (URA), is a federal law that establishes minimum standards for federally funded programs and projects that require the acquisition of real property (real estate) or displace persons from their homes, businesses, or farms. This law covers requirements that apply to all HUD projects.

VASH—Veterans Affairs Supportive Housing

Vouchers—The housing choice voucher program (formerly known as Section 8 housing) is the federal government’s major program for assisting very low-income families, senior citizens and the disabled to afford decent, safe and sanitary housing in the private market.

REQUIRED RESPONSES

Pursuant to Penal Code sections 933 and 933.05, the Grand Jury requests responses as follows:

From the following elected officials within 60 days:

- Mayor Darrell Steinberg
City of Sacramento
915 I Street, 5th Floor
Sacramento, California 95814
- Sacramento City Council Members
City of Sacramento
915 I Street, 5th Floor
Sacramento, California 95814
- Sacramento County Board of Supervisor Members
County of Sacramento
700 H Street, Suite 1450
Sacramento, California 95814

From the following individuals within 90 days:

- LaShelle Dozier
Executive Director
Sacramento Housing and Redevelopment Agency
801 12th Street
Sacramento, CA 95814

Mail or deliver a hard copy response to:

- Hon. Russell Hom
Presiding Judge
Sacramento County Superior Court
720 9th Street
Sacramento, CA 95814

Please email a copy of this response to

- Paul Thorn
Jury Commissioner
ThornP@saccourt.ca.gov

- Ms. Erendira Tapia-Bouthillier
Grand Jury
TapiaE@saccourt.ca.gov

INVITED RESPONSES

- Lisa Bates
Executive Director
Sacramento Steps Forward
1331 Garden Hwy. Suite 100
Sacramento, CA 95833
- Michael Ault
Executive Director
Downtown Sacramento Partnership
980 9th Street, Suite 200
Sacramento, CA 95814

Mail or deliver a hard copy response to:

- Hon. Russell Hom
Presiding Judge
Sacramento County Superior Court
720 9th Street
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Please email a copy of this responses to:

- Paul Thorn
Jury Commissioner
ThornP@saccourt.ca.gov
- Ms. Erendira Tapia-Bouthillier
Grand Jury
TapiaE@saccourt.ca.gov

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 fact leading to the identity of any person who provides information to the Grand Jury.

HIGH SCHOOL DROPOUTS:



**How are Districts in
Sacramento County Doing
and What are the Best
Practices for Improvements?**

HIGH SCHOOL DROPOUTS: HOW ARE DISTRICTS IN SACRAMENTO COUNTY DOING AND WHAT ARE THE BEST PRACTICES FOR IMPROVEMENTS?

SUMMARY

Like a thermometer reading an increase in body temperature, rising dropout and absentee rates register that something is not working properly inside a school district. The Sacramento County Grand Jury (SCGJ) determined that an investigation to discover strategies and best practices that help lower dropout rates and that can be replicated in all Sacramento County school districts would provide a guide for higher student graduation percentages and healthier school districts.

Additional government funding for public education seems unlikely. Proposition 13 (1978) limits the amount of property tax used for education, the percentage of state lottery funding is around 1% and Proposition 13 (2020) authorizing bonds for facility repair, construction and modernization at public schools was defeated in the March 3, 2020 election. The COVID-19 pandemic is another negative unknown factor for education funding. The financial difficulty that the Sacramento City Unified School District is experiencing demonstrates that all stakeholders must work together if the dropout rate in Sacramento County is going to continue to decrease.

The SCGJ interviewed district superintendents from two of the districts with lower dropout rates, two of the districts with higher dropout rates, and the Sacramento County Superintendent of Schools. The SCGJ discovered that most school districts in the County were doing a good job of graduating their students in four years but could improve if they instituted the recommendations of preparing for budget cuts into 2021 and beyond, be proactive in developing community partnerships and implementing activities that encourage students to stay in school.

BACKGROUND

In both the United States and California, public high school dropout rates are declining. According to a 2018 National Center for Education Statistics report, the number of students entering ninth grade and graduating with a traditional diploma after four years increased from 79 percent in 2010–2011 to 85 percent in 2016–2017.

According to an Ohio Department of Education study, best practices have played an important role in achieving these gains. The following practices, organized under six categories, are based on the State Board of Education's Parent and Family Involvement Policy, the National PTA's

National Standards for Family-School Partnerships and Joyce L. Epstein's Framework of Six Types of (Parent) Involvement.

- Create a welcoming school climate.
- Provide family information related to child development and creating supportive learning environments.
- Establish effective school-to-home and home-to-school communication.
- Strengthen families' knowledge and skills to support and extend their children's learning at home and in the community.
- Engage families in school planning, leadership and meaningful volunteer opportunities.
- Connect students and families to community resources that strengthen and support students' learning and well-being.

The California Department of Education mandates that public school districts offer programs that enable students to graduate within four years. The Sacramento County Office of Education ensures that Sacramento County's public high school students can meet graduation goals while receiving quality education services in the following ways:

- Ensure that students are prepared for success in college, career and community,
- Provide educational leadership to the diverse groups that are served,
- Work creatively and collaboratively with partners, and
- Give educators and support staff the training and tools needed for success.

Public education is one of the great hallmarks of modern democracy. Yet every year over 1.2 million students drop out of high school in the United States, or about 3,300 every day. Fifteen percent of freshmen fail to graduate within four years. There are nine public school districts in Sacramento County with high schools (grades 9-12). These districts serve 245,811 students as of September 2019. The Sacramento County high school dropout rate is 16 percent, according to the California Department of Education School Dashboard in 2018, and overall, the California high school dropout rate is 17 percent, according to the United States Department of Education.

Decreases in funding, higher expectations for a more professional core of highly trained teachers and meeting modern expectations for better-prepared graduates are just a few of the changes in education. A critical component for students transitioning to more advanced, and often, more rewarding opportunities is a high school diploma. These opportunities can include higher education, career or technical training, entering the job market or national service. Individuals and communities alike benefit significantly from students who are better educated and have job skills. Self-esteem, health, relationships and leisure time are contributing factors to a person's well-being, all of which are usually associated with a more successful lifestyle. The February 4, 2020 edition of U.S. News & World Report Best Jobs rankings, lists 25 careers that offer nice work-life balance and strong job growth while only requiring a high

school diploma. According to a study by NPR in 2015, about 84 percent of people in prison have never graduated from high school.

The Grand Jury investigated Sacramento County public schools to determine factors that influence dropout rates. Recognizing the importance of a high school diploma necessary to further personal and social goals, the Grand Jury decided to examine both school districts with higher dropout rates and those with lower dropout rates to determine best practices. School districts with higher dropout rates cannot be dismissed as doing a poor job of getting students to graduate but may be better understood and consequently learned from by examining what factual obstacles are inhibiting the districts from achieving lower dropout rates.

What constitutes a public high school graduate must be identified and defined. The Sacramento County Office of Education was instrumental in assisting the Grand Jury in better understanding the increasingly complex world of public instruction data. The Sacramento County Superintendent of Schools provided the Grand Jury with documents that define the Adjusted Cohort Graduation Rate (ACGR) as the percentage of students who enter the ninth grade and graduate within four years. The dropout rate is the percentage of students who do not graduate within four years minus a percentage of students that fall into a category with extenuating circumstances such as foster students, special education students and English as Second Language students. Decreasing the dropout rate has a direct correlation to increasing the ACGR.

METHODOLOGY

The Grand Jury conducted significant research into areas related to dropout rates. The following sources provided research material for this investigation:

- American Psychological Association
- B Street Theatre
- California Department of Education
- First Tee of Greater Sacramento
- Homesnacks.net
- Institute of Education Sciences
- Kidsdata.org
- National Education Association
- Point West Rotary Foundation
- Public Policy Institute of California
- Raleys.com/about/giving/extra-credit-grants
- Sacramento County Office of Education
- The National Mentoring Partnership

The Grand Jury also conducted the following interviews:

- Sacramento County Superintendent of Schools
- Superintendent of Elk Grove Unified School District
- Superintendent of Natomas Unified School District
- Superintendent of San Juan Unified School District
- Superintendent of Twin Rivers Unified School District

DISCUSSION

Public education in California is organized into three tiers of responsibility. At the state level, a State Superintendent of Education is elected for a four-year term by popular vote. The second tier in California education is county school districts made up of county school board members elected in a general election by county residents every four years. These boards hire a County Superintendent. The third tier in California Education is local school districts within each county that are made up of board members elected from in-district residents every four years. These boards select and hire a district superintendent, negotiate labor contracts and develop financial budgets.

The State Superintendent of Education coordinates current and new laws and codes relevant to education with county superintendents within the State. Additionally, the State Superintendent of Education is responsible for developing state academic standards and coordinating State and Federal funding of California public schools. Individual county school superintendents are responsible for supervising and occasionally, managing the fiduciary health of local school districts. County Superintendents also coordinate a variety of academic tasks not generally covered by any local school district such as severe special education services, home and hospital education services, juvenile detention education services, and vocational education. Local school districts are responsible for providing a comprehensive K-12 education within their respective district boundaries.

All three tiers of California public education need to collaborate to deliver the best educational experiences possible, which includes education funding constraints, integrating current and emerging education laws and meeting the needs of a diverse student population. Successful public education depends on each party of educators from the State level, to County level and finally to individual districts to provide for and serve California student stakeholders. Administrators, employee unions, parents and teachers must work together to decrease dropout rates, while staying fiscally sound. All stakeholders should have a seat at the table where decisions are made.

Students learn at different rates. They must be proficient in a subject before they advance; necessitating that class availability is scheduled by need. It is much more cost-efficient and effective to have a student retake a class than to be held back a year. Summer school, senior

extension programs, credit recovery and intersessions also help get students back on a graduation track.

After high school, not every student is going on to higher education. Natomas Unified School District uses a “Road Map” system. The technique relies on establishing individual milestones and career paths for each student as well as at set intervals charting their incremental progress toward accomplishing those goals.

Mentoring has significant positive effects on two early warning indicators that a student may be falling off-track:

- High levels of absenteeism
 - Students who meet regularly with their mentors are 52 percent less likely than their peers to skip a day of school and 37 percent less likely to skip a class.¹
- Recurring behavior problems
 - Young adults who face an opportunity gap but have a mentor are 55 percent more likely to be enrolled in college than those who did not have a mentor.²
 - In addition to better school attendance and a better chance of going on to higher education, mentored youth maintain better attitudes toward school.³

Community partnerships with service organizations like Rotary and Optimist can help provide funding, mentors and volunteers. In the past fiscal year, the Point West Rotary Foundation provided over \$35,000 in grants and hundreds of volunteer hours to Sacramento County school districts.

Area organizations can provide activities that keep students in school. The First Tee of Greater Sacramento works with area schools to help youth ages 7 to 17 learn the game of golf. Eighty-eight elementary schools in our community are teeing off thanks to The First Tees Nine Core Values and Nine Healthy Habits. No one is turned down because of financial constraints. The mission of the B Street School Tour has been to provide entertainment to youth while instilling in them a love for the theatre and a specific appreciation for the art of playwriting. B Street Theatre performs 12 times per week, 38 weeks per year in schools, reaching approximately 200,000 youth annually. The performances are a great way to introduce youth to live theatre by expressing the art of telling stories on stage.

Often local businesses offer grants for schools. For example, Raley’s has a grant program called “Extra Credit Grants.” Accredited K-12 academic institutions (public, charter and private) are invited to apply for funding once per school year. Grant amounts are determined by the size

¹ Public/Private Ventures Study of Big Brother, Big Sister

² “The Mentoring Effect,” 2014

³ “The Role of Risk,” 2013

and scope of the proposed project—there is no minimum or maximum funding request required.

FINDINGS

F1. Public education in California is organized into three tiers of responsibility: State, County and District. The lines of communication are top-down and new responsibilities are added at each level. School districts are governed by a locally elected school board of directors that are responsible for hiring a district superintendent, labor contracts, and budgeting. It is imperative that all levels work together to decrease dropouts.

F2. Government funding is not going to keep pace with the needs of public education. If the goal of decreasing dropout rates is going to be met, then schools and school districts must be proactive in finding new sources of revenue and program support. The impact of the COVID-19 crises on education funding is difficult to quantify currently, but it is going to have a negative effect in 2020-21 and beyond.

F3. Protocols to identify at-risk students are essential to have resources in place when needed. Student connectivity with mentors (coaches, educational staff, and extracurricular staff) is a deterrent to dropping out of school.

F4. Art, music, sports, and technical classes help keep students engaged in school.

F5. Career and technical education provide alternative graduation pathways for students who may not be able or interested in pursuing a college degree. The “Road Map” system used by the Natomas school district needs to be instituted Countywide.

F6. Teamwork for common goals by all invested parties is essential for lowering dropout and raising graduation rates. Simply stated, if the local community wants better schools, then the local community needs to be positively involved.

RECOMMENDATIONS

The goal of the Grand Jury investigation was to discover strategies and best practices that help lower dropout rates, improve graduation rates, and can be replicated in all Sacramento County school districts:

R1. The Sacramento County Office of Education should facilitate the identification and use of best practices to reduce dropout rates by serving as a clearinghouse for such efforts by different schools and school districts, utilizing its website and other media to share this information, and possibly convening periodic meetings and standing committees focused on this outcome. The County Office of Education should advance such efforts during 2020-2021.

R2. District school boards and employee unions should recognize that because education funding can vary widely from year to year, contracts for wages and benefits should be fair to all invested parties while keeping the district financially healthy. Because of the uncertainty of COVID-19 on individual district education budgets this needs to be addressed for the 2020-21 school year at the earliest possible time.

R3. School districts and school administrators should be proactive in developing community partnerships with service clubs, area 501 (c) (3) s and local businesses. District Superintendents need to look for community grants and develop outreach programs in every school during the 2020-2021 school year.

R4. Sacramento County district school boards should budget for providing a broad array of services for at-risk students, such as promoting volunteers for tutoring and mentoring; hiring more social service professionals, including social workers, psychologists, and counselors; and programs such as summer school, intercession and remediation to help students get back on a four-year graduation track. Schools should further such efforts during 2020-2021.

R5. Sacramento County district school boards should mandate that each school establish at least one new student club, one new sports program, and one other activity that engages students and keeps them in school. Schools should implement this recommendation by June 30, 2021.

GLOSSARY

ACGR (Adjusted Cohort Graduation Rate) -- Percentage of students who enter ninth grade and graduate within four years.

Dashboard (California Department of Education School Dashboard) -- An online tool designed to help communities access information about K-12 schools and districts.

High School Dropout -- A student who does not graduate within four years, excluding foster students, Juvenile Hall students, special education students and English as Second Language (ESL) students.

High School Graduate -- A student who completes graduation requirements within four years based on the Adjusted Cohort Graduation Rate.

REQUIRED RESPONSES

Pursuant to Penal Code sections 933 and 933.05, the 2019-2020 Sacramento County Grand jury requests a response from the following officials within 90 days:

- David W. Gordon
County Superintendent of Schools
Sacramento County Office of Education
10474 Mather Boulevard
P.O. Box 269003
Sacramento, CA 95826-9003
- Christopher R. Hoffman
District Superintendent
Elk Grove Unified School District (K-12)
9510 Elk Grove-Florin Road
Elk Grove, CA 95624
- Chris Evans
District Superintendent
Natomas Unified School District (K-12)
1901 Arena Blvd.
Sacramento, CA 95834
- Kent Kern
Superintendent
San Juan Unified School District (K-12)
3738 Walnut Avenue
P.O. Box 477
Carmichael, CA 95609-0477
- Steve Martinez, Ed.D.
District Superintendent
Twin Rivers Unified School District (K-12)
3222 Winona Way
North Highlands, CA 95660

Mail or deliver a hard copy response to:

- Hon. Russell Hom
Presiding Judge
Sacramento County Superior Court
720 9th St.
Sacramento, CA 95814

Please email a copy of this response to:

- Paul Thorn
Jury Commissioner
ThornP@saccourt.ca.gov
- Ms. Erendira Tapia-Bouthillier
Grand Jury
TapiaE@saccourt.ca.gov

INVITED RESPONSES

- Beth Albiani
Board President
Elk Grove Unified School District
9510 Elk Grove-Florin Road
Elk Grove, CA 95624
- Lisa Kaplan, Board President
Natomas Unified School District
1901 Arena Blvd. |
Sacramento, CA 95834
- Paula Villescuz, Board President
San Juan Unified School District
3738 Walnut Avenue
Carmichael, CA 95608
- Michelle Rivas, Board President
Twin Rivers Unified School District
5115 Dudley Blvd
McClellan Park, CA 95652

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Grand Jury
TapiaE@saccourt.ca.gov

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 fact leading to the identity of any person who provides information to the Grand Jury.

911 – THE SACRAMENTO POLICE DEPARTMENT VACANCY CRISIS



Until the vacancy crisis within the Sacramento Police Department is solved, police will have increasingly less time to devote to building the kinds of relationships with the community necessary to establish the trust shown in the picture above.

**Pictures in this report courtesy
of the Sacramento Police Department**

911: THE SACRAMENTO POLICE DEPARTMENT STAFFING CRISIS



Recruitment ad for Sacramento Police Department

SUMMARY

The mission of the Sacramento Police Department is to work in partnership with the community to protect life and property, solve neighborhood problems and enhance the quality of life in our city, as noted in the FY2019/20 Proposed Budget for the Sacramento Police Department. In recent years the number of police officers in the Sacramento Police Department has remained significantly lower than authorized, with the number of new officers offset by retirements and transfers. Despite the Department's efforts to fill the vacancy gap through increased recruiting efforts, a substantially greater investment in recruitment is needed. At the same time, increased use of Community Service Officers (CSO) and development of other alternative support resources will help the Department meet the law enforcement needs of the community.

BACKGROUND

Starting in 2008, the recession forced the City of Sacramento to lay off police officers and civilians within the Sacramento Police Department. The cuts included 372 officers between 2008 and 2011. Not only was the number of sworn officers reduced, the Department has been unable to even fill the reduced number of authorized positions and is currently 65 below the

level authorized. Chief Daniel Hahn has called the recruitment situation a “crisis”, as have other City and Department officials, based on public reports.¹



Sacramento Police helicopter, K-9 vehicle

The Federal Bureau of Investigation Crime Data Explorer shows the national average number of police officers per population is two sworn officers per 1,000 people. Given that metric, Sacramento should have a minimum of 1,000 sworn police officers, although the Department’s current ratio is 1.34 officers per 1,000 people. By contrast, Long Beach and Fresno (two cities close in size to Sacramento) have much larger sworn officer counts (See Figure 1).

Figure 1: City Police Departments Comparison Chart 2018-2019

City	Population	Sworn Officers	Civilian Staff	Total Staff	Budget
Sacramento	501,344	747	323	1,070	\$147,251,730
Fresno	538,311	845	272	1,117	\$201,764,000
Long Beach	470,139	822	420	1,242	\$220,077,449

Source: 2018-2019 Fresno PD, Long Beach PD and Sacramento PD budgets

Police officers are the backbone of the Department and its greatest asset. Yet it is the officer patrol division that has been most negatively impacted by the staffing shortage and its inability to fill the vacancies. City and Departmental representatives reported having proactive policing with the citizens is of paramount importance. Proactive policing involves building relationships and everyday human contact within the communities the officers serve. Unfortunately, due to

¹ An October 7, 2017 Sacramento Bee article stated the Sacramento Police force is one of the nation’s most understaffed for a city of its size. <https://www.sacbee.com/news/local/article177482341.html>

staffing shortages, this is now a rarity as officers spend much of their time going from call to call, thereby limiting the amount of officer time available for the community. The lack of reporting resources in patrol cars and the limited number of substations where reports can be filed compounds the problem.

Sacramento has continued to grow away from the city center towards Natomas to the north and to south Sacramento. In order for the officers patrolling these areas and other high growth areas to connect with the communities and file administrative reports, more substations need to be added. At the time of this report there are four substations with personnel assigned to them for deployment purposes: one North on Marysville Blvd, one South on Franklin Blvd/ Fruitridge Rd., one Central on Richards Blvd and one at Headquarters where the Police Department also houses the Investigations Division and some administrative personnel at the Public Safety building on Freeport Blvd. There are just four substations for a 100 square mile city. Another two or three substations in strategic areas would be beneficial. The possibility of renting vacant storefronts could avoid a large capital outlay.

On a normal weekly schedule, officers work four 10-hour shifts. The shortage of patrol officers has contributed to increasing overtime hours for those officers on call and to rising overtime costs for the police department budget. Most of the Department's nearly one million dollar per year overtime expenses are funded from the budget line item for unfilled vacancies. In addition, the Department's overtime budget covers only about 15 percent of the Department's actual overtime expenses. Figure 2 below indicates overtime is a significant expense to the overall operating budget with 2019 being the largest of the five-year view at 8.7 percent. 2020 figures are estimates at the time of this report.

Figure 2: Sacramento Police Dept Budget

Description	2016	2017	2018	2019	2020*
Overtime Total Expense	\$7,385,777	\$7,301,435	\$9,605,625	\$12,800,284	\$7,841,831
Approved Operating Budget	\$125,278,517	\$132,238,944	\$131,666,351	\$147,251,730	\$150,318,120
Percent of Total Budget	5.9%	5.5%	7.3%	8.7%	5.2%

The strain of overtime and the pressure of moving from call to call have led to burnout. In some cases, burnout results in either early retirement or leaving the Police Department for another agency. Figure 3 shows the reasons officers give for leaving the department that are not related to retirement. It is interesting to note that the number one reason for leaving the Sacramento Police Department is resignation to another agency.

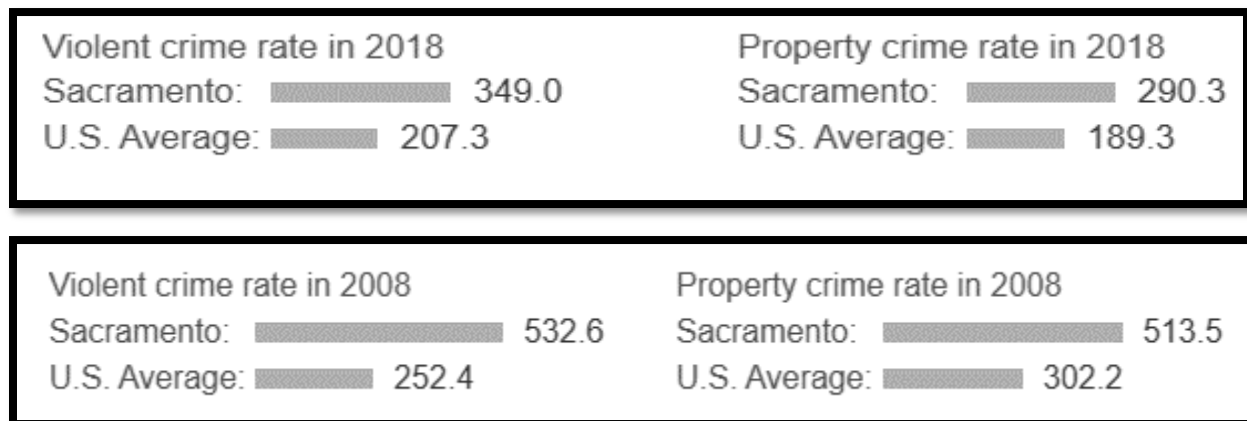
According to one Departmental report, the high number of vacancies in the Department has led dispatchers to triage calls by prioritizing the most extreme or violent crimes, which can result in delays in responding to some minor crimes as well as underreporting more serious crimes.

Figure 3: Sworn Classification Only

	INDUSTRIAL DISABILITY RETIREMENT	RETIREMENT	RESIGNATION TO OTHER AGENCY	RELEASED FROM FIELD TRAINING OR PROBATION	TERMINATION	DEATH	Total	Comments
2015	4	4	15	2	1	0	26	
2016	8	4	14	6	0	0	32	
2017	5	8	37	1	1	0	52	5 FTEs who resigned returned.
2018	4	7	12	5	2	0	30	1 FTE termination returned.
2019	6	3	12	0	0	1	22	2 FTEs who resigned returned.

Despite the reduction in police staffing, crime rates have declined during this period. However, the ways in which crimes are reported has also changed significantly so there is no direct correlation between staffing and crimes reported. The crime rate is a function of the number of crimes reported by law enforcement as well as the definition of reportable crimes. Over the past 10 years, changes in laws have changed the way the Department handles its priorities. Fewer serious crimes have been reported by police and offenses previously classified as felonies are now classified as misdemeanors, lowering the statistical reporting of serious crime. However, even with the classification changes and at 2018 rates, the Sacramento crime rate exceeds the U.S. average for both violent and property crimes. ² (See Figure 4)

Figure 4: Sacramento Crime Rate



² www.usa.com

With increasing population, more downtown and Sacramento County homelessness³, increasing numbers of citizens with mental health challenges on the streets and increased numbers of released inmates, one would certainly expect an increase in the crime rate. Has the shortage of patrol officers made it difficult for the Police Department to keep up with crime in the city?

The FY2019-2020 Proposed Budget for the Sacramento Police Department states the measure of crime is an indication of the overall safety in a community. Safe neighborhoods and safe public spaces create a sense of well-being to citizens and visitors. As a result of the recession layoffs, important units dealing with issues such as gang violence, vice/sex trafficking and boating violations as well as the Crime Scene Investigation Unit (CSI) were disbanded and have yet to be reinstated.

The Department has reinstituted the use of sworn Community Service Officers (CSO). The CSO program was one of the casualties of the recession budget cuts. In 2007 before the CSO position was eliminated, the response time to low level crimes was 20 to 26 minutes. After the position was eliminated, the response time to the same calls went up to 50 minutes, only to fall back to 38 minutes once the position was reintroduced. The program now has approximately 20 officers, with an additional 20 or so CSO positions budgeted for hire in 2020. They are categorized as either CSO 1: Entry Level, or CSO 2: A CSO currently in the Academy.

The CSO position is a limited term entry level position designed to help prepare those interested in a career as a police officer. It is a support position for patrol officers. The CSOs work in the field to assist patrol officers with a variety of tasks, such as investigating burglaries, vehicle thefts and missing persons as well as assisting with processing and photographing scenes, establishing scene protection, crowd control and traffic enforcement. The use of CSOs relieves some of the more routine task pressures from the patrol officers.⁴

METHODOLOGY

In order to understand the reasons for the vacancy gap in the Police Department, the Grand Jury interviewed police and city officials, reviewed Departmental and City documentation, electronic news reports and conducted onsite reviews of Department facilities.

Onsite Visits

- Sacramento Police Academy
- Sacramento Police Headquarters

³ In January 2019, the Point in Time (PIT) Count was 5,770 people experiencing homelessness on any given night. *Sacramento Steps Forward*.

⁴ City of Sacramento Police Department position description on the City's website: www.cityofsacramento.org

Interviews

- Sacramento City Manager
- Sacramento Chief of Police
- Sacramento Police Officer Association Representative
- Director of Human Resources for the City of Sacramento
- Captain of the Sacramento Police Academy

Documentation

- FBI Data Explorer (online)
- Fresno, Long Beach and Sacramento Police Department budgets, 2018-2019
- 2016-2020 Sacramento Police Department budgets
- 2010 Pew Research Center Survey on Millennial Tattoos
- "We have a national crisis': Police relax old standards to fill positions fewer want," The Sacramento Bee, November 14, 2016
- Officers.Com (online magazine)
- USA.com (online city data)
- In Public Service (online magazine)
- "Investigation on police and city management strained relationship," Fox 40 News (online), June 9, 2017
- "Are Elected Officials Helping or Hurting Police?" National Police Support Fund, January 14, 2020. www.supportfund.com
- "Nationally there were 1,000 incidents of fatal police shootings of civilians in 2015," Washington Post, December 26, 2015
- City of Sacramento website: www.cityofsacramento.org

DISCUSSION

In order to understand the reasons for the vacancy gap in the Police Department, the Grand Jury reviewed Departmental application requirements, salary and benefits, morale, community support and application time.

Salaries and Benefits

While the Grand Jury found that salary and benefits of Sacramento Police Department are lower than other local law enforcement agencies with whom they compete for recruits, we also determined anecdotally that slightly lower salaries and benefits are not the most critical factors in potential applicants' assessments of the desirability of seeking employment in law enforcement. Rather, it has been the Grand Jury's impression, based on our interviews, that for most officers, the reason some prospective candidates chose the Sacramento Police Department over the Highway Patrol or the Sheriff's Department was due to the desire to be

part of an agency tasked with law enforcement responsibilities in a more kinetic, urban environment. The salary range under the latest union contract of between \$85,000 and \$127,000 is comparable to the salary ranges of other law enforcement agencies in the area, including the California Highway Patrol. Salary Incentives available to Sacramento police officers include the following:

- Earning a Bachelor's Degree (5 percent increase)
- Earning an Intermediate POST Certificate (5 percent increase)
- Earning an Advanced POST Certificate (8 percent increase)
- Serving 17 years on the force (3 percent increase)
- Becoming a Training officer (9.5 percent increase)
- Becoming a Detective (9.5 percent increase)

Morale and Community Support

The staffing crisis is not limited to the Sacramento area. It is a nation-wide issue. The perception of the police, and as a result policing as a career, appears to be at an all-time low. The occurrence of high-profile incidents of police officer shootings both nation-wide and locally have tainted the profession of policing.⁵ Recruitment applications in Sacramento have dropped 50 percent over the past decade.

The public's perception of law enforcement is a critical factor affecting recruiting. Potential recruits may be concerned that the profession is no longer held in high esteem. In Sacramento, after the Stephon Clarke shooting in February 2018, there was widespread community criticism of the Police Department as well as citizen allegations of racial animus. According to an online police magazine entitled In Public Safety, "Recruiting and retaining qualified police officers is one of the greatest challenges facing law enforcement leaders. Low pay, antiquated hiring practices, negative public perception, high attrition rates, exposure to chronic stress and trauma, and increasing responsibilities all contribute to the downturn in the number of police applicants."⁶

Community distrust of the police undermines morale within the Police Department which, in turn, affects the retention of good officers (See Figure 3) that most attrition is attributable to transfers to other agencies. In a 2017 Fox 40 news special entitled "Sacramento Officers Speak on Strained Relationship with Department, City Leadership"⁷ officers spoke about the poor relationship between the Mayor and the then Chief Brian Louie. Three unnamed police officers alleged that the Mayor was not "pro-police" and the then current Chief Louie did not "have

⁵ Nationally, there were 1,000 incidents of fatal police shootings of civilians in 2015. Washington Post. https://www.washingtonpost.com/sf/investigative/2015/12/26/a-year-of-reckoning-police-fatally-shoot-nearly-1000/?utm_term=.7c1810e651af

⁶ In Public Safety, January 14, 2019.

⁷ <https://fox40.com/news/local-news/sacramento-officers-speak-on-strained-relationship-with-department-city-leadership/>

their backs" in defending the Department against alleged criticism of the Department by the Mayor.

Since that time, the City has hired Daniel Hahn as the new Police Chief. Despite the appointment of a new Chief, the community's distrust of the police was severely tested during the aftermath of the tragic shooting of Stephon Clarke. Under these circumstances, people may be less likely to consider careers in law enforcement and parents may discourage their children from seeking careers in law enforcement.

Efforts by the Department to improve police/community relations and to strengthen community respect for the law enforcement profession include the following:

- Expanded community engagement training for recruits in the Academy
- Sacramento Police Department boot camp program to help future police officers train for the physical demands of the policing profession
- The "Walk in My Shoes" Program which promotes stronger relationships and fosters a better understanding between officers and community members



Community member greeting Sacramento police officers at recruiting booth

- The evaluation of the Body Worn Camera (BWC) program
- The Start Smart Driver's Education Program focusing on common causes of collisions
- The Links for Law Enforcement partnering with local Community Based Organizations
- The implementation of the Crisis Intervention Training (CIT) program
- Redeployment of the Problem Oriented Policing Program (POP) teams throughout the city

Outreach between the Department and the community leaders appears to have been sporadic and semi-annual open forum town hall style meetings with police officers, moderated by the Mayor, City Manager, Police Chief and the Police Union Representative would give officers and management an opportunity to address areas of concern and interest within the department.

Recruitment

Attrition continues to outpace the Police Department's ability to hire new staff. The Sacramento City government is amenable to hiring more police officers but only once current officer vacancies are filled.

There is no line item in the 2020-21 police budget specifically for recruiting and the recruitment is carried out in-house by officers who rotate through the assignment continuously. This process provides no plan and/or consistency for the hiring process. Officers are not routinely consulted by senior management regarding strengthening of recruitment policies, nor are professional recruitment advisors engaged to help develop and implement a more aggressive recruitment strategy. The Grand Jury found it is a good idea to engage all officers in the recruitment process, although there should be some continuity and consistency with the recruiting position. The Grand Jury also found that having a full-time professional recruiter who understands the target candidates, at this point Gen Y most often referred to as millennials, would be beneficial. The professional recruiter's staff would continue to be augmented with police officers assigned to the task who have an interest in recruiting and who would be trained to specialize in recruiting. In addition, the Department could establish a committee or forum of younger officers to provide input on the type of "incentives" or programs that are geared to the younger professional lifestyle in order to attract new officers.

While strengthening recruitment efforts is a goal of the Department, allocation of resources in support of recruitment of potential candidates has been a relatively low priority. The recruitment positions do not include police officers who wish to be trained to specialize in recruitment. To secure more recruits for the candidate pipeline, the Police Department has increased its outreach with rap videos and freeway signage and has initiated several changes to requirements placed on candidates which previously were potential deterrents.⁸

First, the Police Department is beginning to relax the tattoo requirements that have been in place for years.⁹ Previously tattoos were only allowed if fully covered. The new, relaxed policy

⁸ "We have a national crisis: Police Relax old Standards to fill fewer positions nobody wants," The Sacramento Bee, November 14, 2012. <https://www.sacbee.com/news/nation-world/national/article114717463.html>.

⁹ A 2010 Pew Research Center Survey found 40 percent of millennials (Gen Y people born between 1980 and 2000) have tattoos.

will possibly enable police officers to more readily relate to a segment of the people they are sworn to protect. In addition, the Police Department is reviewing policies on below the collar pony tails and body piercings.

Secondly, the Police Department has relaxed the education requirement (currently A.A. Degree or 60 hours of college credit) for ex-military personnel who bring a level of paramilitary experience to the Department, although the potential impact on recruiting may be minimal.¹⁰ The education requirements for lateral police officer transfers are more restrictive than for ex-military personnel. Currently lateral transfers, regardless of service in good standing, cannot enter the transfer process to Sacramento unless they meet the current education requirements, whereas a military veteran with no law enforcement experience has those same requirements waived.

A principal factor that impacts recruitment efforts is the Department's physical and academic qualifications that applicants must meet before even being allowed to apply for Police Department employment. The Department has criteria for job performance and success that could be used to evaluate candidates' potential for success as police officers. However, the current practice of screening out candidates for technical reasons before the Department has had the opportunity to evaluate how the candidates' life skills and abilities measure up to the Department's criteria for success may unnecessarily limit the pool of candidates before they can be evaluated (see below, Figure 5).

Figure 5. Candidates entering the Hiring Process

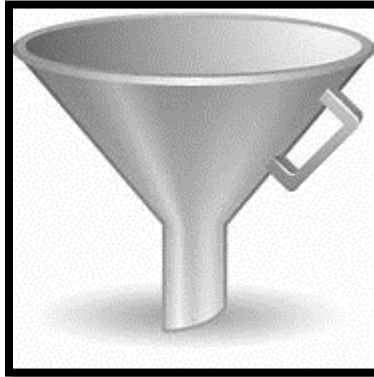


The current process is restricting the number of candidates who enter the pipeline whereas if you turn the funnel to its proper position (See figure 6), the number of candidates entering the

¹⁰ The Pew survey (above, n 9) found that only two percent of millennials are ex-military so it is unsure how much this will help the applicant pool.

hiring process and ultimately the Academy increases exponentially, which is the preference of the Academy Captain.

Figure 6: Candidates entering the Hiring Process



Qualified Recruits Graduating the Police Academy

According to the Academy Captain, the Academy and assigned staff members may be better able to determine a potential officer's suitability than a process that screens out candidates before they have been interviewed. Instead of eliminating so many potential candidates prior to entering the hiring process, the Sacramento Police Department should consider accepting those of good character and an interest in a career in law enforcement. New officers would then be added to the force upon the successful completion of their Academy program.

Application Process

Another factor impacting recruitment is the amount of time it takes for a candidate to complete the application process. Departmental representatives estimate the recruitment process can take up to 18 months from application to admission and includes a written exam, physical ability test, oral interview, background investigation, and medical and psychological evaluations. Although the candidate's delay in providing required documentation can be a significant factor in delaying the process, Departmental representatives believe the process time could be reduced to a maximum of six months.

With a shortened process, fewer potential candidates would get discouraged or find other law enforcement opportunities. Shortening the hiring process keeps potential recruits in the hiring pipeline until they enter the Academy.

An additional factor impacting recruitment is the "washout" rate (the percent of trainees who do not complete Academy training). The number one reason a candidate washes out is due to

a recruit resigning from the Academy (11.49 percent). Two other factors are failure to meet POST firearms and/or driving requirements (3.44 percent)¹¹. In most of those instances, candidates are encouraged to enroll in the Pre-Academy to improve their skills in these areas before re-enrolling in the Academy. The Department is working with POST officials to adjust the requirements.

The Police Academy is now sending all candidates through the Pre-Academy program with the hope of reducing the dropout rate. The Pre-Academy prepares the candidates for the rigors of the full Academy as well as focusing on driving and firearms training in order to reduce washout rates. This has increased the percentage of those graduating and is beginning to lower the number of recruits washing out or leaving the Academy.



Sacramento Police Academy graduation ceremony

Candidates who are not successful in passing the Academy program are sent back to the Department to serve as a CSO 2 until the next Academy begins. This practice helps retain the recruit with pay and benefits until they are ready to enter the Academy again. At the time of this report there were 29 Sacramento Police Department candidates in the Academy and after 28 weeks no candidates had washed out.

As a Non-Affiliated Police Academy, the Sacramento Police Academy serves not just the Sacramento Police Department but other police departments throughout the State. At the time of this report, the Academy class has 29 Sacramento Police Department recruits along with 22 recruits from other cities and counties. The combined group had a graduation rate of 72 percent.

Sacramento is the capital of the State of California and is a vibrant area with a growing population. The city needs and deserves a police force which can protect its people and

¹¹ Sacramento Police Department Academy Release List 2019

property, thereby enhancing the overall quality of life. The Grand Jury noted our elected officials must place high priority on providing resources required to return the Police Department to full staffing levels.

ADDENDUM: At the time of writing this report there is discussion underway regarding the release of hundreds of inmates from the Sacramento main jail into Sacramento County to help curb the spread of the COVID 19 virus outbreak. If this action is carried out there could be additional pressure placed on an already understaffed Police Department.

FINDINGS

- F1.** For several years Sacramento PD has lagged behind the national standard for number of officers based on population. This was caused by budget reductions during the 2008 recession resulting in staff reductions that, in spite of significant recruitment efforts, have never been fully restored.
- F2.** While recruitment seems to be a high priority within the Department, there is no line item budget for recruiting police officers and there is no continuity in police officer recruitment staffing.
- F3.** Unlike other Northern California law enforcement agencies, the Sacramento Police Department requires a potential recruit or transfer from another agency to have an A.A. Degree or 60 hours of college instruction. While the Department believes the requirement helps to assure higher quality policing, it may also unnecessarily preclude the Department's ability to consider otherwise highly qualified candidates. This requirement makes Sacramento PD less competitive for attracting recruits.
- F4.** Differences in law enforcement agency responsibilities and job functions appear to be determining factors in recruitment more than salary and benefits.
- F5.** Public officials support for the Department is a critical factor in improving departmental morale and in responding to community criticism of the Police Department. Community criticism of the Department has a negative impact in the recruitment of new officers and the morale of existing officers.
- F6.** Rapid growth in population away from the city center not only supports the need for additional police officers for patrol duties but also limits the amount of time available for officers to complete required administrative tasks and do community outreach.
- F7.** Due to the current demands of the job, officers are not able to spend as much time as would be desirable developing relationships within the communities they serve.
- F8.** The Grand Jury recognizes the Department has taken steps in reviewing policies specifically related to tattoos.

- F9.** The main target groups for recruitment are millennials or Gen Y individuals whose career needs and concerns vary from veteran officers.
- F10.** The resources allocated to public relations to enhance the image of the Police Department are inadequate. It must be noted that the Police Department is making some positive changes in public relations with rap videos and freeway signage etc.
- F11.** The current hiring process is antiquated and too long which may discourage potential recruits. The Grand Jury notes that the Police Department is reviewing how the process might be updated and shortened.
- F12.** POST training requirements for driving and marksmanship contribute significantly to candidate washout/failure at the Police Academy.
- F13.** The Community Service Officer program has made a positive contribution to both the Sacramento PD and the citizens it serves. Not only has it enabled the PD to reduce call response times even as the population has grown but it has provided a good pool of candidates to fill full time police officer positions.

RECOMMENDATIONS

- R1.** The Sacramento City Council and the Sacramento Police Department should work together to include the positions and budget authority necessary to permanently establish an on-going recruitment function in the Department. The position and budget authority should be included in the 2021-2022 Sacramento PD budget proposal considered for approval by the City Council.
- R2.** The Sacramento Police Department should review potentially eliminating the A.A. degree and 60-unit requirement to attract new recruits. The review should consider waiving those requirements for potential recruits with professional training and expertise that could be equally relevant (Military, Lateral Police Transfers). This review should begin immediately with an implementation of its recommendations during FY 2020-2021.
- R3.** The Grand Jury recommends that elected officials support and highlight the positive accomplishments of the Police Department and the vital mission/services provided by law enforcement, which in turn would encourage recruitment and retention of officers and would improve the morale of the Department. The Grand Jury recommends this becomes a priority immediately.
- R4.** The Sacramento City Council and the Sacramento Police Department should work together to include the positions and budget authority necessary to permanently establish an on-going recruitment function in the Department. The position and budget

authority should be included in the 2021-2022 Sacramento PD budget proposal considered for approval by the City Council.

- R5.** In an effort to improve public perception, the City should consider using a professional public relations firm and/or seek pro bono assistance of an ad agency to create a multi-faceted advertising campaign with the goals of building a collaborative relationship between the community and citizens and highlighting law enforcement as a career. The City's Public Information Office should present a public relations plan to the City Council and the PD for their consideration by the end of calendar 2020.
- R6.** The Department should explore ways to shorten the entire recruitment hiring process. This process should begin immediately with a completion date within the next 12 months.
- R7.** The Grand Jury recommends the Police Chief continue to work with POST officials to update or change cadet marksmanship and driving standards and to give candidates the attention needed to better prepare them for those requirements. The Goal for completion would be within the next 12 months.
- R8.** The Grand Jury recommends the Sacramento City Council and the Police Department continue to expand and make permanent the CSO Program and provide a strategy for the utilization of the CSO position by December of 2021.
- R9.** The Grand Jury recommends that bi-annual open forum style town hall meetings with the police officers moderated by the Mayor, City Manager, Police Chief and the Police Union Representative be conducted that would give officers and management an opportunity to discuss areas of concern and interest with the goal of bolstering support between police officers and community leaders. The Grand Jury recommends this meeting begin within the next six months.
- R10.** The Grand Jury recommends the Police Department establish a committee or forum of younger officers to provide input on the type of "incentives" or programs that are geared to the younger professional lifestyle in order to attract new officers. The goal would be to drive changes in the Police Department that will attract new candidates including lateral transfers and also assist in retaining current officers. The Grand Jury recommends this should be done within the next six months.
- R11.** The Grand Jury compliments the City and Sacramento Police Department for reviewing and relaxing restrictions on tattoos, and encourages them to take similar actions on body piercings and below the collar ponytails. The Police Department should reflect not only the diversity of the community but also what is now more prevalent and acceptable in order to increase the recruitment pool and better relate to the public they serve. The Grand Jury recommends this work begin immediately.

GLOSSARY

COMMUNITY POLICING -- Officers spending time to be proactive within the community, building relationships and having everyday human contact with the citizens they serve.

CSI -- Crime Scene Investigator

CSO -- Community Service Office

FTE -- Full Time Employee

GJ -- Grand Jury

NON-AFFILIATED POLICE ACADEMY -- The non-affiliated academy is for individuals who are interested in a career in law enforcement, but who have not been hired or sponsored to by a police agency or sent by a police agency from elsewhere in the state.

PIT --Point in Time Homeless Count

POP -- Problem Oriented Policing

POST --Peace Officer Standards and Training

PRE-ACADEMY --A shortened version of the full academy that focuses instruction on driving, weapons and the rigors of the academy which is held prior to the full academy in hopes of reducing recruit washout.

SPOA --Sacramento Police Officers Association



Child greeting a K-9 officer

REQUIRED RESPONSES

Pursuant to Penal Code sections 933 and 933.05, the Grand Jury requests responses as follows:

From the following elected city officials within 60 days:

- Mayor Darrell Steinberg
City of Sacramento
915 I Street, 5th Floor
Sacramento, CA 95814

- City Council of Sacramento
City of Sacramento
915 I Street, 5th Floor
Sacramento, CA 95814

From the following governing bodies within 90 days:

- Howard Chan
City Manager
City of Sacramento
915 I Street, 5th Floor
Sacramento, CA 95814

- Daniel Hahn
Police Chief
City of Sacramento
5770 Freeport Blvd
Sacramento CA 95822

Mail or deliver a hard copy response to:

- Hon. Russell Hom
Presiding Judge
Sacramento County Superior Court
720 9th Street
Sacramento, CA 95814

Please email a copy of this response to:

- Paul Thorn
Jury Commissioner
ThornP@saccourt.ca.gov
- Ms. Erendira Tapia-Bouthillier
Grand Jury
TapiaE@saccourt.ca.gov

INVITED RESPONSES:

- Shelly Banks-Robinson
HR Director
City of Sacramento
915 I Street, 1st Floor
Sacramento, CA 95814
- Captain David Risley
Sacramento Police Academy
2409 Dean Street
North Highlands, CA 95652
- Tim Davis
Police Union Representative
City of Sacramento
5770 Freeport Blvd.
Sacramento CA 95822

Mail or deliver a hard copy response to:

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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.
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