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REVIEW OF RESPONSES TO THE 2018-2019 GRAND JURY REPORTS

The 2018-2019 Sacramento County Grand Jury Final Report contained seven investigative reports that required responses from various governing boards and elected officials in Sacramento County. The 2019-2020 Sacramento County Grand Jury reviewed the responses to these reports submitted by the identified government entities for compliance with the requirements in Penal Code (PC) Sections 933 and 933.05.

The “Reason for Investigation,” “Findings” and “Recommendations” commentaries are quoted directly from each investigative report in the 2018-2019 Sacramento County Grand Jury Final Report. The submitted responses can be found at the Sacramento County Grand Jury website: <https://www.saccourt.ca.gov/grand-jury/grand-jury.aspx>.

1. Addressing Homelessness in Sacramento County: An Extraordinary Community Challenge.

REASON FOR INVESTIGATION

In 2018-2019, the Sacramento Grand Jury investigation focused on the challenges a community of organizations in Sacramento County is confronting in their efforts to most effectively address the many issues presented by homelessness.

2018-2019 FINDINGS

- F1.** There is no formal organization model used by the community of organizations that will ensure the most effective use of the critical resources available to address homelessness in Sacramento County.
- F2.** The leaders and workers in the community of organizations actively working to address the challenges presented by homelessness in Sacramento County have demonstrated an impressive level of both dedication and competence in assisting and supporting the County’s homeless population.
- F3.** A County of Sacramento Homeless Plan to secure NPLH funds was recently developed by the County and adopted by the Board of Supervisors. The plan presents a significant initial strategic direction for addressing homelessness in Sacramento County and many of the organizations providing services and programs for the homeless collaborated with the County on the plan’s development and support its direction and implementation.

2018-2019 RECOMMENDATIONS

- R1.** The community of organizations working to address homelessness in Sacramento County should initiate a process during Fiscal Year 2019-2020 to identify an organizational model that will be responsive to needs expressed by the community. This

process should be coordinated by the five primary organizations providing resources to the homelessness effort. They are:

- County of Sacramento
- City of Sacramento
- Continuum of Care Advisory Board
- Sacramento Steps Forward
- Sacramento Housing and Redevelopment Agency

2018-2019 RESPONSES

The City of Sacramento provided required responses to the findings and recommendations noted on November 5, 2019 and in compliance with PC Section 933 and PC Section 933.05.

R1. The City of Sacramento is committed to identifying an organizational model within six months.

The County of Sacramento has provided required responses to the findings and recommendations noted on November 5, 2019 and is in compliance with PC Section 933 and PC Section 933.05.

R1. The County of Sacramento advises that this recommendation requires further analysis.

The Sacramento Housing and Redevelopment Agency provided a response to R1 on December 10, 2019, that was outside the 90-day deadline and is therefore not in compliance with PC Section 933. However, its response to R1 is in compliance with PC 933.05.

R1. The Sacramento Housing and Redevelopment Agency agrees with this recommendation and has developed a 5-Point Homeless Plan.

2. Cosumnes Community Services District: Why Is McDonald Park Still Unfinished?

REASON FOR INVESTIGATION

Based on a citizen's complaint, the 2018-2019 Sacramento County Grand Jury reviewed the Cosumnes Community Service District's (CCSD) usage of developer's fees and land dedications. CCSD received the fees and land dedications for the construction of a neighborhood park in the Camden Pointe/Camden Estates subdivisions. The park in question, MacDonald Park, was partially completed; approximately half of the park has lain undeveloped for many years.

At issue is whether that undeveloped portion constituted a breach of legal responsibility to use funds obtained under the provisions of the Quimby Act in a timely manner. As we will explore in the discussion below, CCSD's legal responsibility is to commit the funds, within a certain

period of time, to the building of the park. It is under no legal obligation to spend those funds within any given period of time.

Also, at issue was an inability for residents and others to obtain specific information on Quimby Act fees and dedications, and their usage, as there were three governmental entities involved: CCSD (formerly the Elk Grove Community Services District), the City of Elk Grove, and Sacramento County.

2018-2019 FINDINGS

- F1.** CCSD timely complied with the law that it commits the Camden Pointe Quimby fees within five years of their payment. It spent all of those fees for the construction of Phase 1 of MacDonald Park, and possibly for some other parks which would serve the Camden Pointe subdivision. CCSD has fulfilled its legal obligations with regard to those fees.
- F2.** CCSD timely complied with the law that it commits the Sheldon Estates II Quimby fees within five years of their collection. There is no time limit by which CCSD must spend the Sheldon Estates II Quimby fees to construct Phase 2 of McDonald Park.
- F3.** CCSD residents are understandably frustrated that sixteen years after collecting the Sheldon Estates II Quimby fees, and thirteen years after committing to spend those fees to construct Phase 2 of MacDonald Park, CCSD still retains those fees. Residents do not have a clear understanding of the retention and use of those funds.
- F4.** CCSD makes a good faith effort to comply with the California Public Records Act.
- F5.** CCSD makes a good faith effort to keep adequate and appropriate District records to fulfill legal requirements.
- F6.** CCSD's records retention policy requires its records be safeguarded and adequately protected.

2018-2019 RECOMMENDATIONS

- R1.** CCSD should educate the district's residents about the requirements and discretions it has with regard to the Quimby fees which it collects. CCSD should have open discussions about Quimby fees and dedications with its constituents by June 30, 2020.
- R2.** CCSD should inform the district's residents what CCSD intends to do with the Sheldon Estates II Quimby fees if the vote on the overlay district fails, at the first Board meeting following the vote.
- R3.** CCSD should establish an accounting system which specifically tracks each Quimby fee collected from a developer and how that money is spent. This should be completed by June 30, 2020.