



# Sonoma County Civil Grand Jury 2018-2019 Final Report



## **Consider Becoming a Grand Juror**

Grand Jury service is a tremendously rewarding experience, providing citizens with a meaningful and independent voice in local government. Sonoma County Civil Grand Jurors play a distinct and vitally important role in government. Jurors have broad oversight powers to investigate and influence positive change within the County, its cities, special districts and the many organizations that collectively constitute our local government.

Nineteen jurors serve as the full panel during each 12 month term from July through June. Since the Grand Jury is an autonomous panel, its ability to effectively serve its purpose depends on the interest, capabilities and skills of the jurors who volunteer to serve. The Grand Jury benefits from voices and points of view reflecting diversity in age, ethnicity, gender and education.

Application forms to become a Sonoma County Civil Grand Juror are available online at <http://sonoma.courts.ca.gov> or in person at:

Office of the Sonoma County Courts  
600 Administration Dr., Room 106  
Santa Rosa, CA 95403  
707-521-6501

Each spring Judges of the Superior Court interview prospective Grand Jurors from the applicant pool. In June, jurors are selected at random for a one year term.

**Sonoma County Civil Grand Jury  
Final Consolidated Grand Jury Report  
June 19, 2019**

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

# Superior Court State of California

GARY NADLER  
PRESIDING JUDGE  
(707) 521-6726  
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COUNTY OF SONOMA  
HALL OF JUSTICE  
600 ADMINISTRATION DRIVE  
SANTA ROSA, CA 95403



June 19, 2019

Dear Members of the Sonoma County Civil Grand Jury:

Having reviewed the Grand Jury Final report for the fiscal year 2018-2019, I find that it complies with Penal Code section 933. You are to be commended for your thorough investigations and conscientious findings and recommendations. You have fulfilled your duties with hard work and dedication.

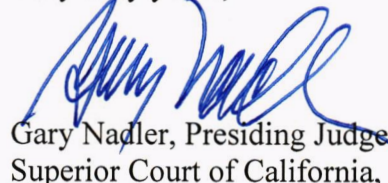
The citizens of Sonoma County are indebted to you for your diligent, straightforward efforts. I understand that the performance of your duties requires much of your time in the investigation of issues affecting the citizens of Sonoma County.

Much effort is required to perform the tasks necessary to create your report. On behalf of the Superior Court of Sonoma County, I applaud and thank you for all you have done.

All of you have performed in an exemplary manner in discharging your duties. I especially would like to thank your foreperson, Dee Schweitzer, for her practical leadership and dedication to the work of the Grand Jury.

Once again, congratulations to our Civil Grand Jury. You have worked hard and done your job well. Our county is a better place thanks to the work you have done.

Very truly yours,

  
Gary Nadler, Presiding Judge  
Superior Court of California,  
County of Sonoma

GN:jlw



# The Sonoma County Civil Grand Jury

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June 19, 2019

To the Citizens of Sonoma County and the Honorable Judge Gary Nadler:

On behalf of the 2018-2019 Sonoma County Civil Grand Jury and in accordance with California Penal Code Section 933, it is my privilege to present our Final Report. Jury members spent many hours conducting investigations, analyzing information and preparing reports during this term.

The Grand Jury's mission is to facilitate positive change in Sonoma County. We are charged with overseeing city, County and special district operations. We investigate these entities to evaluate their efficiency, honesty, fairness, and dedication to serving the public. Based on our findings, we make recommendations.

The Grand Jury's effectiveness as the citizen's ombudsman and watchdog of Sonoma County governance depends on residents' participation either as complainants or as jurors. Citizen complaints are a primary source of investigation, and so, with the assistance of concerned citizens, the Grand Jury discovers matters within local government that warrant investigation.

We appreciate the County agencies, and especially the Information Systems Department and County Administrator's Office personnel that provide administrative support to the Grand Jury. Thank you to the citizens who introduced matters to our attention and to local government employees who gave testimony. Their availability and responsiveness to the Grand Jury help ensure relevant, thorough and accurate reports.

The Penal Code requires that the Grand Jury inspect prisons within a county. Although Sonoma County does not have a state prison, it is a long-standing practice to tour and inspect the County detention facilities each year. The Grand Jury did tour the detention facilities and further inspected the Main Adult Detention Facility resulting in an investigative report.

In addition, the Grand Jury investigated water district disaster preparedness, behavioral health division budget management, county property asset management, and a review of responses to last year's report recommendations.

It has been an honor to serve as Foreperson to this dedicated Grand Jury. Each juror devoted significant time and energy to thorough and ethical investigative work and report writing. I am sincerely grateful and humbled by my fellow jurors dedication to working as a cohesive group in service to the Grand Jury mission.

Sincerely,

Dee Schweitzer, Foreperson

## Introduction

The 2018-2019 Grand Jury Report is the result of countless hours of meetings, research, interviews and writing conducted by 19 Sonoma County volunteer residents. These individuals became Grand Jurors by meeting the qualifying criteria including having lived in the county for at least a year. They applied, interviewed with the court, and were then randomly selected from the pool of applicants.

Special acclaim is due to the 2018-2019 Grand Jury for the talent and expertise they brought to the table. Jurors had backgrounds in education, research, medicine, military, communication, social services, fire science and more. Together, they enjoyed cohesiveness, mutual respect and admiration, and a unique esprit de corps that contributed to the success of this report. They seamlessly worked through a mid-term recruitment which was necessary due to attrition. The jury benefitted from excellent leadership and support from the Grand Jury Officers.

Charged with writing the annual 2018-2019 Grand Jury report, a major concern among Grand Jurors was to delve into topics of import and concern to Sonoma County residents. What good would it be to investigate and write about a topic about which no one cared, or about an issue being otherwise resolved? Complaints were carefully scrutinized, and penal code about Grand Jury jurisdiction was honored.

The Grand Jury believes the five reports which comprise this consolidated report are timely, important and compelling. The reports are as follows:

***Will There Be Water After an Earthquake?*** examines the plans and resources for supplying drinking water to Sonoma Water customers in the event of a major earthquake. This report is a real eye-opener.

***The Jailhouse Rocks*** provides the results of an inspection and further inquiry of social services at the Main Adult Detention Facility. These include medical and dental health services, mental health support, and general education for inmates. The results are impressive.

***A Perfect Storm*** describes how the Behavioral Health Division 2017-2018 budget went badly awry, showing a shortfall initially estimated at \$19 million. This investigation was conducted in response to several complaints.

***Managing Public Properties in Sonoma County*** focuses on the policies and practices governing the management of properties owned and used by Sonoma County for general government purposes. The search for adequate policies, procedures and records exposed “uncoordinated decisions and neglect.”

***The Continuity Report*** follows the previous term’s Grand Jury recommendations. Were the recommendations implemented and did they follow Penal Code requirements? This year, in addition to respondents’ statements, Grand Jury comments are also included. The Continuity Report was completed in January 2019, and since then the county has done some reorganizing of the county’s emergency services.

In the 2015-2016 Grand Jury Report, budgetary challenges were described as being “not a temporary situation,” and that continued budget shortfalls could be expected. The 2018-2019 Grand Jury offers the same prediction and caution. Nevertheless, we salute the ingenuity of the many County civil servants for their continued efforts and ability to prevail.

# **WILL THERE BE WATER AFTER AN EARTHQUAKE?**

## **Sonoma County Residents Face Big Challenges**

### **SUMMARY**

When the next earthquake arrives, will we have enough water? Engineers say our water supplies will probably be disrupted after a major earthquake. In Sonoma County, most people rely on water supplied by Sonoma Water (formerly known as the Sonoma County Water Agency) to nine city contractors and special districts, and they, in turn, deliver water to residents, businesses, and organizations within their areas. The Sonoma County Civil Grand Jury has investigated how well-prepared Sonoma Water is to respond to a major earthquake. Our report seeks to answer this crucial question: What plans and resources are in place in the event of a major earthquake, to provide drinking water to residents of the county who receive water from Sonoma Water?

The Russian River is the primary source of water for Sonoma County and northern Marin County. Sonoma Water supplies 90% of the pressurized water used in nine contracting cities and water agencies (Santa Rosa, Windsor, Cotati, Rohnert Park, Petaluma, City of Sonoma, Valley of the Moon Water District, Marin Municipal Water District, North Marin Water District) that together serve over 600,000 customers. Water flows through a network of pumps, pipes, and valves to its final destination in our homes, hospitals, schools, and businesses.

Sonoma Water projects that a minor earthquake (5.0 or less) will not impair water supply operations or services, and will not present immediate danger to the health and welfare of the public. However, in 1969 an earthquake of similar intensity along the Healdsburg fault destroyed 101 structures. Further development and expanded population since then suggest that damage would be more severe if the same jolt were to hit us today. Most certainly, a stronger earthquake here or nearby is likely to impair water operations and services, impacting both the public and the agency's employees. Quakes of this size are felt by most people, and damage could be extensive.

Consequences anticipated from a major earthquake include:

- Fires
- Power failures
- Building/structure damage
- Water and wastewater leaks/spills/interruption of service or quality
- Impassable roads
- Congested telephone and cell service
- Injuries and Deaths

Sonoma Water estimates that after an earthquake of magnitude 7.0 or higher, damage to their aqueduct and/or pumping stations could be restored within 3 days to 2 weeks. However, this estimate depends on the availability of equipment and crews, and will vary with earthquake severity and location. During repairs to the piped system, stored water from various tanks and reservoirs may provide water for approximately 36 hours. City contractors will activate pumps from local ground water wells to maintain tank levels, attempting to sustain the water flow and



keep the system pressurized, but these sources do not have sufficient capacity to satisfy the full system demand.

In 2008, Sonoma Water conducted a natural hazard assessment which led to a Local Hazard Mitigation Plan (LHMP). Sonoma Water prepared the plan to secure water supply facilities, and to seek funding from federal and state agencies to help pay for upgrades. The plan has been updated several times since then. The main thrust of that plan was the seismic upgrading of the Santa Rosa Aqueduct, the pipeline originating at pumped wells along the Russian River.

In anticipation of breaks due to seismic activity, Sonoma Water has installed a series of isolation valves that enable the flow of water to be cut off and rerouted, contributing to the resiliency embedded in the system. Seismic stabilization columns have been inserted into the riverbank soil adjacent to wells in order to mitigate liquefaction (the phenomenon that causes soil to lose strength and stiffness). Further system improvements are anticipated as funding is made available.

Sonoma Water has developed a priority transmission plan to “triage” the delivery of water after a powerful quake. Using a guiding principal of public safety and fire suppression, the agency would:

- Notify water contractors
- Give public notice
- Isolate water losses
- Maintain water pressure
- Prioritize crew response
- Employ mutual aid and equipment from other water agencies as needed
- Maintain power with PG&E and/or generators
- Provide flow using water storage tanks, reservoirs, and rerouted flows

The Sonoma County Civil Grand Jury acknowledges the research, effort and time that various entities within the county have put towards the formation, implementation, and ongoing evaluation of preparedness plans. The Grand Jury recommends that Sonoma Water implement the highest priority mitigation measures; improve coordination and training with other water districts; and educate water users on their risks and individual responsibilities for earthquake preparedness. We recommend continuing research, improvement, and attentiveness to earthquake preparedness by Sonoma Water, city water contractors, private districts, and residential households.

## **BACKGROUND**

The Sonoma County Civil Grand Jury has investigated the risk of a major earthquake in Sonoma County and the effect that it could have on residents, due to impacts on water supplies. Sonoma County is located in an area subject to multiple natural hazards. Historically, we have been impacted by floods, wildfires, landslides mudflows, and earthquakes. Due to our proximity to the San Andreas and other faults, our county has a high earthquake risk. A detailed map of earthquake faults and areas of liquefaction is searchable at [sonomacounty.ca.gov](http://sonomacounty.ca.gov).

Although many Sonoma County residents live outside urban areas and rely on water from private wells, even more people depend on water from the Russian River. Sonoma Water operates and sustains the water transmission system. The mission of Sonoma Water is to “effectively manage the water resources in our care for the benefit of people and the environment through resource and environmental stewardship, technical innovation, and responsible fiscal management.”

Sonoma Water’s supply system is made up of transmission pipelines (aqueducts), collector wells, booster pump stations, storage tank reservoirs, an inflatable dam, and other facilities that allow the agency to supply water for drinking and firefighting, manage flood risk, and maintain health and key watersheds. The agency also manages two major reservoirs which store water behind dams owned by the Army Corps of Engineers.

The Sonoma Water system contains 108 miles of mainline pipe and 18 water storage locations, all of which need ongoing maintenance. Day-to-day operations supply contractors at any flow rate they demand up to the contract limit. System pumping rates under normal conditions typically range from 49 to 69 mgd (million gallons per day). Operations are standardized at 60-110 pounds per square inch pressure, using booster pumps as needed.



(Source: Sonoma Water)

In 2000, the federal government enacted the Disaster Mitigation Act which incorporated earlier disaster legislation. The Act was a precursor to the current Federal Emergency Management Agency (FEMA). In addition to assistance when emergencies occur, the legislation supports pre-

disaster planning and hazard mitigation. FEMA requires a Local Hazard Mitigation Plan (LHMP) to qualify for pre-disaster mitigation grant funds. Sonoma Water's first LHMP was developed in 2008. As a foundation for that, the County developed a Natural Hazard Reliability Assessment. Since 2008, Sonoma Water has updated the LHMP to address the various risks, first in 2013 and again in 2018.

Sonoma Water is carrying out plans to decrease the vulnerability of the water system to earthquakes and other hazards, and to remain operable after an earthquake. The location, intensity and timing of an earthquake cannot be predicted, but the risks can be estimated. Earthquakes are a recurring event in our county. Some earthquakes cause extensive damage while others do little harm. The factors that determine how destructive an earthquake can be include: location, magnitude, depth, and distance from the epicenter, local geological conditions, secondary effects, and architecture. Examples of secondary effects are: In the event of an earthquake with soil liquefaction, landslides could occur and cause damage to adjacent structures. If the quake occurred in the middle of a populated area, a low magnitude quake with a shallow epicenter could still cause moderate damage.

Critical components of the water system include collector wells, aqueducts, and storage tanks. Damaged water pipelines could drain the system rapidly causing water shortages. Facilities most likely to be affected significantly are those within the Rodgers Creek Fault zone. That fault cuts across the Santa Rosa aqueduct and could significantly impact those water systems. Additionally, the Bennett Valley fault crosses the aqueduct that goes to Sonoma and the Oakmont pipeline.

How significant the impacts of a major earthquake are to our water supply depends on how rapidly the water systems can be repaired. In the event of a major earthquake, some or all of the people in Sonoma County could be faced with poor water quality and with water shortages ranging from brief interruptions and rationing, to complete curtailment for extended periods. Good preparations can lessen the destruction and loss of life that often go with similar events.

### **Sonoma Water: Its Background, Responsibilities, and Significance**

Sonoma Water was established in 1949 by the California Legislature as a special district called the Sonoma County Water Agency, to provide flood protection and water supply services. It is a separate legal entity created under California law, having specific limited purposes and powers and separate sources of funding. Legislation enacted in 1995 added the treatment and disposal of wastewater to the agency's responsibilities. The Sonoma County Board of Supervisors serves as the agency's Board of Directors.

Sonoma Water maintains a water transmission system that provides naturally filtered Russian River water to more than 600,000 residents in Sonoma County and portions of Marin County. The Agency, a water wholesaler, sells potable water primarily to nine cities and special districts that in turn sell drinking water to their residents. These contractors are: the cities of Santa Rosa, Rohnert Park, Cotati, Petaluma, Sonoma, and the town of Windsor, Valley of the Moon Water District, Marin Municipal Water District, and North Marin Water District.

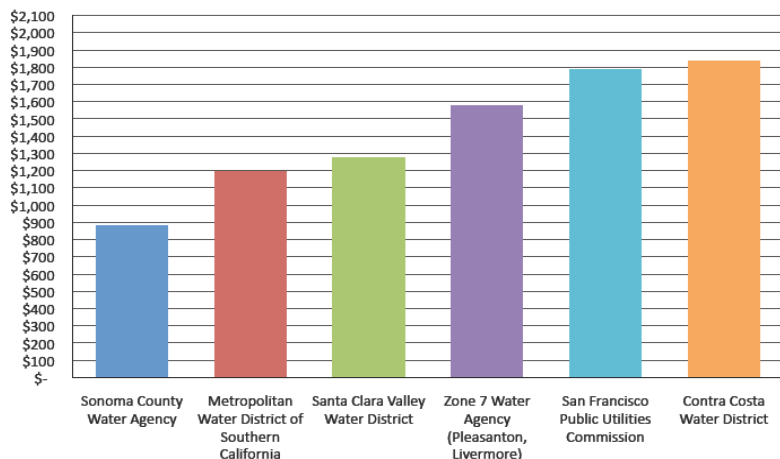
Recommendations for protecting the water supplies in the event of an earthquake are consistently among the highest priorities in the hazard mitigation plans for both Sonoma Water and the utilities that deliver water to consumers. The Grand Jury assessed the priorities and evaluated how rapidly progress is being made, and what options exist for reducing the risks more rapidly.

### Funding for Hazard Mitigation

A FEMA-approved Local Hazard Mitigation Plan is required to apply for federal hazard mitigation funding from FEMA, and it must be updated every 5 years. Sonoma Water has updated its LHMP every 5 years since 2008, most recently in 2013 and again in early 2018 when it was submitted to Cal-OES and FEMA. Meeting the FEMA deadlines has made the agency eligible for federal grants.

Sonoma Water has an annual Capital Projects Plan (CPP) to accomplish mitigation actions, programmed work and necessary maintenance. As mitigation actions are achieved, the implementation schedule and planning budget estimates for the next tier of actions are developed. When considering funding sources, currently Sonoma Water has one of the lower rates in California.

### 2018 Wholesale Water Rates Per Acre-Foot



Sonoma Water FY 18-19  
Proposed Budget and Rates:  
Presentation to the City of  
Sonoma

Adoption and updating the LHMP has been successful: Substantial grant funds have been applied to seismic improvements for the water system. Twelve funding agencies and numerous grant programs are listed in their LHMP 2018 report. Sonoma Water continues to identify external funding sources for further mitigation.

### METHODOLOGY

The Sonoma County Civil Grand Jury conducted the following investigations:

- Interviewed and observed staff members of Sonoma Water and staff from several water contractors.
- Reviewed Sonoma Water’s website, documents from their website, their 2018 Local Hazard Mitigation Plan, and their EOP (Emergency Operations Plan); the City of Santa Rosa’s 2017 Local Hazard Mitigation Plan, web information, and EOP; and the City of Sonoma’s web information, water division information on the web site, and their EOP.
- Read multiple references on earthquakes and water issues.
- Toured Sonoma Water’s multiple storage yards, Santa Rosa City water storage yard, and City of Sonoma water storage yard.
- Observed collector wells, pumps, inflatable dam, booster station, storage tanks, SCADA communications, switchyard, emergency generators, chlorination facility, and pH adjustment facility.

## DISCUSSION

This investigation used several projections and scenarios to aid in analyzing the preparedness of the water systems in Sonoma County. In Northern California, earthquakes occur frequently. Most are below 2.0 on the Richter scale and pose no danger to the public and life supporting infrastructures. Larger earthquakes have occurred in the Bay Area. The Napa quake in 2014 was 6.0, the Loma Prieta quake in 1989 was 6.9, the Santa Rosa quake in 1969 was 5.7, and the 1906 San Francisco quake was 7.8.

Over 600,000 people in Sonoma and Marin Counties receive water from the Russian River system, delivered through Sonoma Water and local water utilities. Some local water systems supplement the Russian River water with water pumped from underground aquifers. None of these water systems has sufficient underground water supply capacity to meet its regular local water demand without the Russian River supply. Examination of earthquake and repair scenarios indicate that water supply interruptions in some areas could be significantly longer than three days, and local reserves could be depleted by then.

*Imagine the following scenario: At 2 o'clock in the morning tomorrow, a 7+ earthquake occurs on the Rogers Creek fault. The epicenter is near Glen Ellen, California. The quake causes a lateral motion that breaks the aqueduct’s main pipe, leaving a complete offset of the pipe. At the break, the full volume of the aqueduct’s water is released. Due to the offset, multiple sections of the pipe are damaged; water quickly erodes the soil surrounding the pipe. The pipe is at the Eldridge pump station and the water release has moved the pumps and housing structures from their foundations. The pump station damage causes the main PG&E circuit breaker to switch off. No outside help can be expected; the water districts for San Francisco and the East Bay have called in all their employees to evaluate their own water systems.*

Sonoma Water would mobilize staff to assess damage throughout the county. Isolation valves could be closed to stop the loss of water flows at the break sites. Ground water pumps could be initiated to maintain tank storage levels, thus supplying continued pressure to viable pipelines for fire suppression and public safety. If a section of pipe is unusable, above ground hoses can be attached into a viable section to run the water flow above ground. Mobile water treatment units could be brought into service to provide some relief, while local contractors may be asked to

supply bottled water. Sonoma Water employees are mandated emergency responders, however some live outside the service area and may not be able to respond immediately.

Vulnerabilities to the Sonoma Water infrastructure are known and have been prioritized. The California Emergency Services Act requires urban water agencies (which track and shape state and federal water policy) to provide a catastrophic supply interruption plan. Sonoma Water, under the Act, developed its EOP. “The EOP outlines standard operating procedures (SOPs) for all levels of emergencies, from minor to major disasters and are coordinated with the water contractors EOPs”. (California Urban Water Management Plan, 2015)

The Civil Grand Jury has found that not all Sonoma Water contractors have EOPs and none have specific SOPs. Sonoma Water has their own EOP and some SOPs. The Grand Jury is recommending that Sonoma Water and its contractors coordinate their EOPs and SOPs for all water interruption events. The SOPs should be updated annually or whenever there are changes to procedures and updated logs should be included in the SOPs. The SOPs should be available 24/7/365 to Sonoma Water and all contractors and should contain:

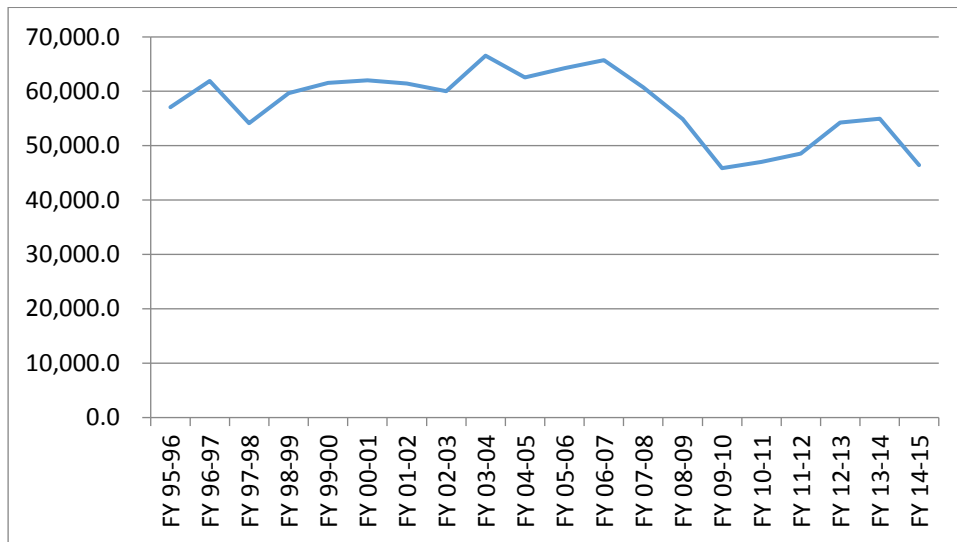
- Contact information
- A list of supplies
- Locations of supplies
- Outside Mutual Aid resources
- SOPs available on a website, in manuals, and in emergency vehicles

Over the last decade there have been efforts to move Emergency Management Planning away from addressing individual disasters towards an All-Hazard Management plan. The All-Hazard model takes a task and breaks it down into an emergency plan in which all employees follow a standard protocol. On reviewing this plan with Sonoma Water’s emergency plans, the goal is to have current utilities incorporate the All-Hazard concepts into their existing emergency preparedness. The All-Hazards model does not focus on the incidents that cause the problems, it focuses on addressing the consequences, such as loss of power. As the concepts are new and not yet fully implemented, the Grand Jury believes that Sonoma Water should continue their current approach in progress, to disasters, including the above recommendations, and continue to evaluate the newer All-Hazard consequences Model while retaining its current approach.

### *Technical Data*

Sonoma Water is authorized to withdraw up to 75,000 acre-feet of water from the Russian River annually. In recent years, the water volume actually withdrawn has been considerably less, with per capita consumption of water declining in response to public relations efforts and citizen cooperation to conserve. In fiscal year 2015-16, for example, reported water deliveries for the year were 39,905 acre-feet. With population growth, more water and more conservation may both be necessary in the future. In anticipation of future demands, the district has acquired upstream access along the river where other extraction wells could be installed adjacent to the river.

acre foot of water – *the volume of water necessary to cover one acre of surface area to a depth of one foot. Equal to 43,560 cubic feet, or 325,851 gallons.*



Water Delivered by Sonoma Water, acre-feet per year  
(Source: Sonoma Water)

The extraction wells filter the supply, avoiding intake water treatment other than preventive chlorination. These Ranney type wells extract water from the aquifer with direct connection to a surface water source, in this case the Russian River ([https://en.wikipedia.org/wiki/Ranney collector](https://en.wikipedia.org/wiki/Ranney_collector)). The wells are housed in three caissons at Wohler Bridge and three at Mirabel. Each caisson houses two matched turbine pumps. The combined pumping capacity of wells at Wohler Bridge and Mirabel exceeds system requirements, providing redundant capacity for normal servicing and emergency events.

Power is purchased from PG&E and delivered at 60kV (kilovolts) to the water district’s switchyard where it is stepped down for pumping and other electrical uses at Wohler Bridge and Mirabel.

During peak water use in the summer, the wells at Mirabel could draw down too much water if operating alone. The solution is an inflated rubber dam that allows water to be pumped to adjacent spreading basins, where it filters back into the Ranney wells.

Water storage tanks in strategic locations along the aqueduct and contracting communities are used to balance system flows, sustain system pressures, and provide backup supplies for emergencies. Tank maintenance (re-coating) throughout the system is about three years behind the optimal schedule. Re-coating takes the tanks out of service for an extended period up to a year, reducing storage capacity.

#### *Local Hazard Mitigation Projects*

Beginning with the first LHMP in 2008, Sonoma Water has participated in successive hazard mitigation efforts which are cited as contributing to a stronger water supply system. By 2012,

several projects had already been completed. To date, Sonoma Water has completed more than 32 projects ranging in cost from \$71,000 to 12.7 million dollars.

Some of the completed projects include:

- providing 14 isolation valves to over 90 miles of transmission pipeline for seismic mitigation
- implementing Mirabel site seismic improvements
- mitigating Santa Rosa Aqueduct seismic hazards over Rogers Creek Fault Crossing
- procuring large diameter flexible hose to deploy for emergency use
- procuring stockpile material for use in emergency
- developing a dedicated Emergency Operations Center
- installing additional UPS (uninterrupted power supply) units at each facility to prolong communications.

The total cost for the 32 projects was greater than 63.28 million dollars; additional projects are in progress at this time.

### *Hazard Risks and Water Shortage*

Sonoma Water estimates that after a 7.0+ earthquake, potential damages to aqueducts and/or pumping stations would be restored within three days. Sonoma Water projects it has a day and a half of stored water available during the repair period. The contracting cities have similar water storage and well capacity to cover needs during repairs.

Three days is an optimistic estimate. Other factors and experience point to more extended water outages. Sonoma Water recently estimated that if emergency repairs to their River Diversion System (RDS) were needed, the restoration could take 2-3 weeks.

#### **Water Sources:**

On average, Sonoma Water supplies 90-95% of the water required by the nine contracting cities and local water agencies; the rest of the water, supplied from local wells, is not sufficient to sustain full flow needs.



According to FEMA,

*“People have been encouraged to maintain an emergency supply of water. This has been widely interpreted as a recommendation to keep a three –day supply of water on hand. However, after a major earthquake that probably will not be enough. FEMA is recommending that you have enough water for each member of your family, to meet their needs for two weeks.”*

Emergency relations officers within the county recommend that every household keep enough water for a week, and even that amount might not be enough. The East Bay MUD projects repair estimates of 1-2 weeks, and a significant period of water shortage. Estimates from the Los



Angeles basin noted that it might take months to complete repairs to their three main aqueducts. They added that that shortfall could become a major issue for potable water, reduction of fire protection and sanitation operations with public health consequences. In 2015, Southern California's Shakeout 2 Scenario, an earthquake practice drill, showed a "significant vulnerability in the conveyance system where pipes and other components cross or are located close to the San Andreas Fault. Major damage to the water system could leave the most affected areas without running water for up to 6 months."

Sonoma Water's optimistic estimate of three days is conditional on the availability of suitable repair parts, aqueduct pipe, joints, pumps and valves. The Grand Jury has surveyed the supply of repair parts around the aqueduct and found the inventory of emergency supplies is sparse and the inventory list is incomplete and out-of-date.

The 2018 California State Hazard Mitigation Plan noted that "based on the most recent earthquake forecast model for California, the USGS and other scientists estimate a 72% probability that at least one earthquake of magnitude 6.7 or greater, capable of causing widespread damage, will strike the San Francisco Bay Area before 2044." While damage from an earthquake varies considerably from one scenario to another, people need to maintain personal emergency water supplies for substantially more than 3 days. "Despite the County efforts to reduce risks, no amount of planning or mitigation can prevent disasters from occurring or eliminate the risks of such events all together. The County's actions may help to reduce the risks and impacts these hazards pose to life, property and the economy. While the Hazard Mitigation Plan seeks to identify opportunities for reasonable mitigation actions, each individual has a responsibility to be aware of the potential hazards where they live and to minimize their own household's vulnerability." (Sonoma County Hazard Mitigation Plan, October 2016)

#### *Emergency Policies, Systems, and Program Weaknesses*

In the event of an emergency, Sonoma Water activates an Emergency Operations Center (EOC) subordinate to the Sonoma County EOC. Sonoma Water serves the interests of citizens, drawing water from about 60 small, independent water systems scattered throughout the County. Sonoma Water EOC maintains contact with its operations through a Supervisory Control and Data Acquisition (SCADA), with the ability to dispatch corrective action if the water supply is disrupted. Procuring a mobile operations center with full SCADA capabilities is listed on the 2018 mitigation action sheet, but has not been implemented. Improvements in the SCADA system have been discussed but not implemented.

The ability of Sonoma Water and any utility to respond to failures depends on the rapid availability of qualified repair personnel, either on-staff or from mutual aid support. To be successful, advanced training and coordination is necessary.

For several years Sonoma Water has been working on their Emergency Plans, and completed the Continuity of Operations Plan (COOP) in June 2018. The COOP is a plan to continue essential governmental functions across a wide range of emergencies. The Emergency Response Plan has been replaced by the Sonoma Water Emergency Operations Plan, completed in 2017.

### *Water Agency Contractors' Emergency Actions*

The Civil Grand Jury researched two cities to inform the public regarding the emergency response on the part of a sample of city water contractors, one with a large population and one with a smaller population.

#### *City of Santa Rosa*

The City has developed their own LHMP, Emergency Operations Plan Annex, and Urban Water Management Plan. Santa Rosa takes delivery from Sonoma Water at 60 psi (pounds per square inch). The water transmission system operates within zones and sectionalizing valves to permit failure isolation. If needed, a City well on Farmers Lane and Sonoma Avenue could provide water. The main water line down Sonoma Avenue was installed with flex couplings to allow for movement during earthquakes.

Restoration of water deliveries in Santa Rosa after an earthquake requires operating personnel to drive along the major pipelines, identify failures and fix them, or call a team for repairs. The Santa Rosa Water Department Operations Center (DOC), and The City of Santa Rosa Emergency Operations Center locate and acquire additional resources as necessary. Water emergencies might be addressed by third party contractors to import water or obtain bottled water, and then distribute the water through point of dispensing centers (PODs). Health and safety, as well as fire protection are prioritized.

Santa Rosa water workers (cross trained and certified in water and wastewater operations) are on mandated duty during emergencies. Most of the City workers live locally, with some living as far away as Ukiah. The standard work mode is for a two-person field crew team to follow water supply routes and report leaks to the DOC/EOC. At the DOC/EOC, the operations are logged on in conjunction with Geographic Information System (GIS) displays and hard copy map books.

The City of Santa Rosa Water and Wastewater group conducted earthquake drills from 1984 onward, believing earthquakes posed the most extreme risk. Those drills helped with the fires of October 2017, even though the drills were for an earthquake. In the past, none of the simulation drills were jointly done with Sonoma Water. The Santa Rosa Emergency Operations Plan lacks coordination with the other water contractors.

In Santa Rosa, if there were a sustained water shortage following an earthquake, people would be urged to shelter in place if possible, or relocate to one of the emergency centers such as Finley Park or a Place to Play, where tent camping might be an option. Back-up water delivery modes for Santa Rosa City include POD hose taps, milk trucks, bottled water, private wells, and additional wells for use during emergencies.

Santa Rosa Water has had no cross training with other organizations, although it does anticipate mutual aid through the California Master Mutual Aid Agreement. The City of Santa Rosa participates in Sonoma Water's Water Advisory Committee (WAC) and Technical Advisory Committee (TAC) meetings with other contractors to share information.

## *City of Sonoma*

Water supplies in the City of Sonoma rely on Sonoma Water, supplemented by city wells especially during peak periods, drought, and emergencies. The City's water operations could get by for about two weeks if cut off entirely from Sonoma Water. They would rely on conservation, rationing, city well water, and whatever water remained in the city water tanks. This may require a work-around of any break in the line, using what is available, including hoses. Data from the City's water management plan suggests there is an expectation that consumers could get by on a 15-20% reduction of normal water flows for a limited time.

The City has backup materials on hand in their corporate yards for emergency repairs. The water supply line diameters are smaller than the Sonoma Water aqueduct. The smaller diameter pipes are more readily available. The water supply depends on electricity for pumping capacity, so the City of Sonoma has back-up emergency generators if needed.

The City of Sonoma has no LHMP, but is considering other funding options. They have an updated EOP available on-line. The City is seeking a contract with a consulting engineering firm to conduct a risk assessment based on an emergency involving water. The City does outreach to their customers through their web site under Emergency Preparedness. The City of Sonoma participates in mutual aid contracts under the California Master Mutual Aid Agreement developed under the California Emergency Services Act. The City of Sonoma, along with the other eight contractors, participates with Sonoma Water's WAC and TAC advisory committees.

### *Sonoma Water System - Actions during an Emergency*

Sonoma Water has a direct-to-consumer public information program aimed at water conservation, and is proud that their efforts have reduced average per-capita water consumption. In the absence of a similar campaign to bolster earthquake awareness and preparation, that responsibility is currently assumed unevenly by the retailing contractors/utilities.

Sonoma Water holds periodic coordination meetings with the nine water contractors, through the WAC and TAC committees. Sonoma Water does not conduct joint emergency training sessions with these contractors, but may contact them for help if needed. Sonoma Water has larger diameter transmission pipes than the water retailers, and skilled personnel versed in handling them. Due to the larger diameter pipeline sizes, Sonoma Water staff would be the most available and best qualified to take care of most issues. Joint exercises would provide specialized training to the nine water contractors.

Emergency preparations include stockpiling spare pipe and valves at scattered corporate yards, including those at Wohler Bridge and Mirabel. Sonoma Water relies on good vendor relations to fill emergency needs if their inventory is not already on hand. Portable, flexible 12" hose line is available to bypass water outages. Problems with collector wells could create a special issue needing expert help from outside of Sonoma Water.

In addition to seismic events, the Local Hazard Mitigation Plan continues to address floods, droughts, wildfires, and sea-level changes - all exacerbated by climate change.

Throughout this investigation, the Civil Grand Jury has been impressed with the expertise, education and dedication of the staff at Sonoma Water and its contractors.

## **FINDINGS**

- F1. Sonoma County relies primarily on the Russian River for drinking water which may be disrupted in the event of a major earthquake.
- F2. Sonoma County relies primarily on a single wholesale provider for its water. Sonoma Water, which delivers water under contract to cities and water districts in Sonoma County and northern Marin County, may be without sufficient resources to meet all emergency needs.
- F3. In the event of a major earthquake, water supplies are likely to be significantly disrupted for extended periods of days or weeks, although reduced water supplies may be provided through alternative means. Full recovery of systems could take longer.
- F4. Measures implemented by Sonoma Water to reduce the risk of critical water shortages following a major earthquake have relied heavily upon state and federal grant funds, but implementation has fallen behind the schedules proposed in the LHMP. A more rapid reduction of risks could be achieved through water rate adjustments.
- F5. Consistent with FEMA recommendations, residents need to maintain their own emergency source of water to meet their personal needs for more than the three days frequently stated by officials.
- F6. More public outreach is needed to educate water users to their risks and individual responsibility for earthquake preparedness.
- F7. Coordination between Sonoma Water and its contractors needs to improve by increasing training exercises, mutual aid training, and systems information exchange.
- F8. Because operating pressures must be maintained throughout the system, water contractors have limited ability to curtail non-essential water uses without compromising availability of water for critical applications such as fire suppression and hospital use.
- F9. Sonoma Water's planning for earthquake response, supplies, repairs, and restoration of water depends significantly on institutional repair knowledge concentrated in a few long-term employees, but lacks adequate documentation such as manuals for standard operating procedures.
- F10. Sonoma Water's estimate of three days to return to service following an earthquake is conditional on the availability of suitable repair parts, aqueduct pipe, joints, pumps and valves. The Grand Jury found the inventory of emergency supplies is sparse and the inventory list is incomplete and out-of-date.

F11. Sonoma Water and its water contractors maintain a well-designed system and have made significant progress in mitigating earthquake risks. Ongoing efforts are needed to reduce remaining risks.

## **RECOMMENDATIONS**

The Sonoma County Civil Grand Jury recommends that:

- R1. Sonoma Water review and establish viable options for accelerating how rapidly the highest-priority mitigation measures are being funded and implemented by December 31, 2019. [F3, F4]
- R2. Sonoma Water maintain inventory lists with current goals for items, quantities, locations, and sourcing; and improve stockpiling accordingly by December 31, 2019. [F10]
- R3. Sonoma Water and water contractors derive and publicize more realistic outage periods and provide updated information to the public by December 31, 2019. [F5, F6]
- R4. Sonoma Water improve coordination with water contractors, including field exercises by December 31, 2019. [F7]
- R5. Water contractors study options for making local systems more adaptable under emergency conditions - such as dedicated supply loops, digitally monitored metering, or automatic shut-down valves, by December 31, 2019. [F8]
- R6. Sonoma Water prepare and maintain one or more SOPs (Standard Operating Procedures) for the restoration of water deliveries specifically for an earthquake; SOPs should be updated annually or whenever there are changes to procedures, by December 31, 2019. [F9]

## **REQUIRED RESPONSES**

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

Sonoma Water [R1, R2, R3, R4, R6]

Water Contractors: Santa Rosa, Rohnert Park, Cotati, Petaluma, Sonoma, Windsor, Valley of the Moon Water District, Marin Municipal Water District, and North Marin Water District [R5]

## **GLOSSARY**

ABAG	Association of Bay Area Governments
CAL-OES	California Office of Emergency Services
DOC	Department Operations Center
EOC	Emergency Operations Center,
EOP	Emergency Operations Plan
FEMA	Federal Emergency Management Agency
LHMP	Local Hazard Mitigation Plan

PG&E	Pacific Gas and Electric
POD	Point of Dispensing site, for water
SCWA	Sonoma County Water Agency/ Sonoma Water/SW
SCADA	Supervisory Control and Data Acquisition
SOP	Standard Operating Procedure
TAC	Sonoma Water’s Technical Advisory Board
USGS	United States Geological Survey
WAC	Sonoma Water’s Water Advisory Board

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# The Jailhouse Rocks

## Main Adult Detention Facility Inspection

May 7, 2019

### SUMMARY

Our jail has changed. It is no longer a short-term holding facility for people awaiting trial and those serving sentences of one year or less. Due primarily to the Public Safety Realignment Bill of 2011, the average length of detention in our jail dramatically increased from days to years. Longer incarceration times have resulted in inmates who are likely to be older, sicker, and/or more mentally disturbed. In addition, the increase in the homeless population generally has resulted in an increase in the number of homeless within our jails. Just as in the community at large, their social service needs are great. Some have described our federal government as “an insurance company with an army,” so too, our jail might now be called “a health clinic with guards.”

The Sonoma County Civil Grand Jury wanted to know how our Sheriff and the Detention Division have responded to the increased social service challenges of medical, dental, and psychiatric care (including substance abuse treatment), as well as more extensive adult education. The Grand Jury discovered a mix of surprises, challenges, concerns, and reassurances in this complex entity.

Our jail does a good job doing jobs a jail is not designed to do. The Main Adult Detention Facility (MADF) in Santa Rosa is competently managing the challenge of its growing role. The current provider (Wellpath) appears to be delivering medical, dental, mental health and substance abuse treatments at a level at least equal to those formerly provided by the county Department of Health Services. Dental care has improved. The Sheriff’s Office has shown commitment to education through the steady improvement in the range of courses and learning opportunities. A new approach to treating inmates incompetent to stand trial is yielding dramatic results.

### GLOSSARY

CDCR	California Department of Corrections and Rehabilitation
CFMG	California Forensic Medical Group
GED	General Education Development
JBCR	Jail-based Competency Restoration
MADF	Sonoma County Main Adult Detention Facility

**Cognitive Behavior Therapy (CBT):** A talk therapy based on the assumption that a person's mood is directly related to his or her patterns of thought or behavior. Negative thinking affects a person's mood, sense of self, behavior, and even physical state. The goal of CBT is to help a person learn to recognize negative patterns of thought, evaluate their validity, and replace them with healthier ways of thinking. CBT is an effective treatment for depression, PTSD, and many anxiety disorders.

**Moral Reconciliation Therapy (MRT):** A therapy similar to CBT developed specifically for an offender population. “Reconciliation” means an act of conscious decision making that includes the moral impact of



**Moral Reconciliation Therapy (MRT):** A therapy similar to CBT developed specifically for an offender population. “Reconciliation” means an act of conscious decision making that includes the moral impact of one’s choices. Unlike CBT, MRT seeks to change a person’s personality as it relates to moral development.

**Realignment:** California’s Public Safety and Realignment Act (Penal Code Section 11709(h), 2011). This act mandates that counties, rather than state prisons, house felons who have never been convicted of serious, violent or sexual offenses (low-risk felons).

## **BACKGROUND**

This report is self-initiated and not in response to any formal complaint or grievance. Each year the Grand Jury is tasked under California Penal Code 919(b) with “inquiring into the condition of public prisons.” Historically, the Sonoma County Civil Grand Jury has toured all three facilities under the Detention Division of the Sheriff’s Office: the Main Adult Detention Facility (MADF), the North County Detention Facility (NCDF), and the Juvenile Justice Center (JJC). This report will focus on MADF; brief comments regarding the NCDF and the JJC can be found in Appendix A.

This year, after touring all three facilities, the Grand Jury decided to investigate how MADF meets the medical, mental health, dental, substance abuse treatment, and educational needs of inmates. These social service needs have not been addressed in depth by previous Grand Juries since passage of the State’s Public Safety Realignment Bill. Under federal court order, California enacted this bill to alleviate overcrowding in its State prisons. It mandates county jails throughout California house low-risk felons serving prison terms of greater than one year. Counties receive funds from the State to offset the added costs of these longer-term inmates. The Grand Jury sought information about how the Sheriff’s Office is meeting this new challenge.

Prior to the State’s mandate, MADF housed persons awaiting a bail hearing, those awaiting trial and unable to make bail, and those serving sentences of less than one year. In the past eight years, MADF has housed 4,400 inmates who previously would have served their terms in state prison. This influx of felons represents approximately 19% of the average daily census of 741 men and women at MADF. Sheriff’s deputies and others who work at the jail reported to the Grand Jury that the influx of these inmates, who have more serious criminal histories, has significantly changed the milieu of the jail. This change introduced new correctional and social service challenges. In a Sonoma West newspaper interview (Jan 31, 2018), Sheriff Essick described the inmates who would otherwise be in state prison as criminally more sophisticated, older, in poorer health, and with a higher incidence of mental health issues.

During the same time that the Sheriff’s Office adjusted to Realignment, MADF experienced an increase in the number of incarcerated homeless persons. This increase is a reflection of their increased numbers in the general population. While the heightened medical needs of an indigent population may seem obvious, no one anticipated that so many of our county’s poor and homeless would receive significant medical and mental health care from the Sheriff’s Office.

When jail terms were shorter, inmates could postpone routine doctor visits or dental checkups until they were released. Substance abuse treatment was limited and fewer educational resources

had to add more comprehensive medical, dental and mental health services. Older inmates with undertreated chronic conditions may require costly hospitalizations.

Historically, DHS partnered with the Sheriff's Office to provide medical, dental, and mental health services to inmates at the jail. As incarceration rates climbed nationwide, increasing the burden of health care services for counties and states, a market for private contractors of these prison services emerged. These private providers now compete with county health departments, increasingly winning contracts to serve local jails.

In 2008, the Sheriff's Office awarded the medical and dental services contract to California Forensic Medical Group (CFMG). In 2017, the contract for mental health services was awarded to CFMG as well. In 2018, CFMG merged with Correct Care Solutions to form Wellpath, based in Nashville, TN. This is the first Grand Jury MADF inspection since the changeover in mental health services from the county to Wellpath.

Adult jails are not required by law to provide education. However, as jails have taken on the job of prisons, counties have had to add education to the menu of services in order to comply with law and custom. The California Department of Corrections and Rehabilitation (CDCR) mandates certain educational offerings focused on earning a high school diploma or General Education Development (GED) Certificate at state-run and private contract prisons.

Robust research demonstrates that limited education is directly correlated to incarceration. While 18% of US adults lack a high school diploma, that figure for American prison inmates is 41%. And while 48% of Americans have had some amount of post-secondary education, the same is true of only 24% of prisoners. Inmates who participate in *any* form of education while incarcerated are 43% less likely to reoffend. An adult education program more than pays for itself in the form of successful rehabilitation. No other single intervention reduces recidivism to this degree.

## **METHODOLOGY**

The Grand Jury reviewed the following documents:

- 2011-2012 through 2017-2018 Sonoma County Grand Jury Reports
- Sheriff's Office Detention Division Policies and Procedures
- Board of State and Community Corrections (BSCC) 2016-2018 Biennial Inspection
- The Institute for Medical Quality Accreditation (IMQ) Report (2016)
- Sonoma County Department of Health Services Annual Survey (12-28-2018)
- Sonoma County Jail Quality Assurance/Peer Review Committee Meeting minutes for 2018

The Grand Jury inspected MADF and interviewed key staff and contract employees involved with MADF's intake team, medical clinic, dental clinic, behavioral health program, substance abuse team, and educational programming team.

The Grand Jury also inquired into injuries from use of force, other injuries, suicide attempts, and deaths in custody. This led to a review of the inmate complaint system concerning health matters.

In addition, the Grand Jury interviewed a psychiatrist who worked at the jail before mental health services were privatized. The perspective helped in understanding the strengths and weaknesses of the different service systems.

Finally, the Grand Jury spoke with officials in the Public Defender's office and the Probation Department to understand their perceptions of the strengths and weaknesses of the social services provided by MADF. Through their direct work with inmates, these two departments are positioned to hear unfiltered inmate feedback regarding care and educational opportunities at the jail.

## **DISCUSSION**

### *MADF – Medical Care*

Providing medical care to a captive population is challenging. In recent years that challenge has grown in scope and scale. Wellpath personnel perform all medical evaluations and deliver care on site, unless the person requires emergency or hospitalization services.

Medical service needs are assessed at intake. MADF averages 45 bookings per day. Every person booked into MADF receives a medical screening from a nurse before they are assigned housing. On day shifts, a nurse works exclusively in the booking area. During the evening and night shifts, however, a single nurse covers the entire facility. Several sources reported that evening and night intakes are often delayed when the nurse is called away to other areas of the jail. This creates a backlog of inmates awaiting housing, stalled in what the correction officers see as an overcrowded, high-risk area of the facility. When the Grand Jury asked medical staff what one change would make their workflow better, all mentioned the need for a dedicated nurse in booking for the evening shifts.

U.S. health care providers are required to cooperate with public health guidelines around certain communicable diseases. These include tuberculosis, syphilis and other sexually-transmitted diseases, and HIV. MADF is no exception. Public health guidelines can involve mandated reporting of cases, following defined treatment protocols, or both. Such protocols often require monitoring for the duration of treatment to ensure compliance and public safety.

The Public Health Division of DHS regularly reviews MADF. They examine MADF's compliance with public health standards in the areas of environmental health, nutrition, medical and mental health care. The department issues a yearly report to the Board of Supervisors, the CDCR, and the Sheriff's Office.

Wellpath follows public health guidelines on identifying, reporting, and treating TB, syphilis, and HIV. Senior officials familiar with communicable disease protocols identified some concerns with MADF's handling of such cases. These officials suggested three specific changes:

- Screen all inmates for syphilis at intake because rates are rising in our county. This is particularly critical for women who might be pregnant.
- Maintain newly incarcerated HIV/AIDS inmates on the drugs they were taking prior to entering the jail. Changing medications during incarceration, and then transitioning the inmate back to their former regimen upon release, unnecessarily complicates a successful treatment plan.
- Partner with Sonoma County Public Health to boost vaccination rates, especially for flu.

One official noted that Wellpath could get free vaccines from the county if MADF had a medication refrigerator with temperature alarm capabilities. An important secondary benefit of improved communicable disease management of inmates is greater safety to the community when they are released.

These same communicable disease specialists believe that hand-offs from Wellpath to community providers at the time of an inmate's release could be strengthened. Released inmates needing to be monitored for treatment compliance sometimes "fall through the cracks." Wellpath and correctional staff noted that hand-offs are sometimes hindered when the Sheriff's Office cannot give Wellpath sufficient notice of an inmate's release. Inmate release dates can change with very little notice to the Sheriff's Office, and inmates cannot be held beyond their release date to complete treatment. Dedicated time for medical discharge planning is currently no more than 10 hours per week. Wellpath staff said that an increase in discharge planning hours would allow them to respond better to this dynamic situation. One source suggested a different solution: allow existing public health clinics to manage these illnesses at MADF, from diagnosis through completion of treatment.

### *MADF – Mental Health*

Our jail is the largest mental health facility in the county. This fact surprises most people but is well known within the mental health and law enforcement communities. About 45% of inmates at MADF have either a mental health or substance abuse issue. It is common to have both. Indeed, one source told us that among those inmates with a known substance abuse disorder, 85% also have an identifiable mental illness.

Everyone admitted to MADF receives a mental health screening, including a drug history and toxicology panel. Persons who appear aggressive, psychotic, or intoxicated are placed in a safety cell. MADF protocols require frequent documented observations of these inmates until they are deemed safe to enter the general population. The Wellpath mental health team provides training for the correctional officers in identifying and managing the manifestations of mental illness. In addition, a Wellpath psychiatrist assesses any individual who may need psychotropic medications to address a serious mental illness (e.g., depression, mania, psychosis), or to begin a drug detox regimen. Medications ordered by a doctor are filled at an outside contract pharmacy. MADF does not have an on-site pharmacist. Medications are packaged individually and dispensed by a nurse.

Treatment for mental health issues at MADF centers on skills training rather than psychotherapy. Cognitive Behavior Therapy (CBT) principles are taught primarily as learning modules, rather than explored within individual or group therapy (the latter being usual practice in the

community). As with medical care, this approach to mental health services is a compromise designed to fit a correctional environment. This approach works in this setting where motivation is often low and length of treatment uncertain.

### *MADF – Substance Abuse*

The drug epidemic in America has not spared our jails. The sharp increase in methamphetamine and opioid abuse in the last decade has only added to the crisis. The substantial overlap between drug use and mental health issues in jails led researchers to find a treatment to address both. Created in 1978, Moral Reconciliation Therapy (MRT) seeks to blend elements of CBT and 12-Step recovery programs. The focus of MRT is to identify one's dysfunctional "unconscious" decisions, and then consciously make different, more "moral" choices. MRT has become the single most used treatment modality in American prisons. Wellpath is a strong supporter, stating that MRT is central to their jail programs.

However, MRT has its critics. Most of the recent outcome studies on MRT show limited efficacy. Two of our sources thought Wellpath could do better by expanding their CBT offerings.

One approach to drug abuse treatment at MADF is Starting Point. Starting Point is a community residential drug treatment program in partnership with MADF. This innovative program treats inmates who have serious substance abuse problems and are at risk for homelessness. Starting Point staff work closely with dedicated case managers to prepare inmates who are going to residential treatment or transitioning back into the community. Inmates who are offered only psycho-social drug treatment--AA meetings or basic drug education--without community support after release are much more likely to relapse.

Maintenance medications have become the cornerstone of opioid addiction treatment in the community. A maintenance medication is a prescribed opioid that, when taken regularly, reduces drug cravings and decreases the likelihood of illicit use. The use of these drugs, most commonly Suboxone or methadone, within a correctional setting is controversial. Suboxone and methadone are controlled substances requiring special licensure and handling. State law allows counties to adopt their own jail medication standards and practices. San Francisco County uses Suboxone and methadone maintenance routinely. Marin County allows an inmate to stay on maintenance medication if they obtain an outside physician's waiver. San Mateo County recently started medication assistance treatment (MAT) which was the focus of a National Public Radio feature entitled "County Jails Struggle with a New Role as America's Prime Centers for Opioid Detox" (see link to NPR feature in Appendix B).

Many jails, including MADF, do not use maintenance medications. Addicts who enter the jail dependent on either street narcotics or a prescribed maintenance medication are taken off "cold turkey." Proponents of this approach point out that the jail is a controlled environment with minimal opiate availability. They argue that this makes MADF an ideal setting to get off any drug and begin recovery. Furthermore, Suboxone and methadone have a "street value," giving inmates an incentive to divert them for profit.

Opponents argue that opioid withdrawal is extremely uncomfortable, making a detoxing inmate at higher risk for disruptive behavior. Some call this inhumane and counterproductive. However, the most important reason to support the use of maintenance medications is that they substantially increase sobriety rates for addicts in the community.

### *MADF – Jail-Based Competency Program*

Mental health treatment in a jail has a dimension unique to the correctional setting. Persons charged with a crime must be competent to stand trial, or their cases cannot proceed. Serious mental illness is the chief cause of temporary incompetency. Historically, MADF transferred such inmates to a state hospital which would then treat them until they were deemed competent. This was not an efficient system: the wait for a bed at a state hospital could take months, the treatment itself was long and non-specific, and – perhaps most importantly—inmates could refuse medications that might improve their condition. That system was also more costly.

As the waiting time for state hospital beds lengthened to nearly a year, and the number of inmates awaiting treatment increased, population pressure and spiraling costs necessitated a different approach. In March 2017, the Sheriff’s Office adopted a relatively new, innovative program called Jail Based Competency Restoration (JBCR). Originally piloted in San Bernardino County, JBCR has dramatically shortened the time from arrest to disposition for persons incompetent to stand trial due to mental illness. JBCR can be adapted to treat a few individuals in the general jail population, or multiple inmates on a separate unit. The dedicated JBCR housing module at MADF currently has 12 beds. During the Grand Jury’s inspection nine inmates were participating in the program. MADF averages 20 to 30 incompetent detainees per year.

JBCR has three components in its Triangle of Competency Model: assessment, psychotherapy and medication.

- Assessment consists of a battery of psychological tests focused on thinking and memory, looking specifically to identify malingering or intellectual impairment. These cognitive tests can be repeated to document progress.
- Psychotherapy is tailored to restoring legal competency. Counselors explain the judicial process, help inmates understand the negative impact of their symptoms, and teach them how to assist their defense counsel.
- Psychiatric medication is the most impactful but also the most controversial. If a person’s legal incompetency is caused by symptoms of psychosis (for example, in schizophrenia, bipolar disorder, or chronic methamphetamine/hallucinogen abuse), antipsychotic medication is often the only effective treatment.

What happens if an inmate refuses to be medicated? California has robust laws that protect individuals from being forcibly medicated. Psychotropic medications cannot be prescribed as punishment, or simply to make a person more compliant. Jail staff can petition the court for an order to involuntarily medicate, as long as they prove that the treatment serves the inmate’s best interests. Participating effectively in one’s legal defense is an important civil right, which may avoid an indefinite confinement (whether in jail or a hospital). Mental illness can sometimes preclude this right; medication can restore it.

Former MADF doctors seemed reluctant to pursue involuntary medication petitions. However, since Wellpath began implementing the JBCR program, petitions are now sought in all appropriate cases. One well-informed source—not connected to the Sheriff’s Office--called the JBCR program a “game changer.” Inmates at MADF have been reaching competency levels in an average of 70 days. This is in sharp contrast to the former practice of ten-month waits for transfer to begin treatment. Other facilities using the JBCR program are averaging 90 days or longer to reach competency. Staff from other California jails now visit MADF to learn how the program is achieving such remarkable results.

#### *MADF – Dental Care*

A recently remodeled dental clinic, located within MADF, is staffed 16 hours a week by a licensed dentist and dental assistant. The clinic is equipped with a dental chair, x-ray machine, and the usual instruments needed to provide dental care. There were approximately 725 visits each year during 2017 and 2018.

Dental services provided at MADF include exams, x-rays, extractions, temporary restorations and managing dental trauma. Emphasis is placed on oral hygiene and dental education. Cleanings are provided as needed. Dental services not provided include orthodontics, cosmetic dentistry, crowns, root canals, dentures and implants.

When an inmate submits a request to see the dentist, a nurse triages the request. The nurse determines a priority level of the request (Dental Priority 1/Dental Priority 2) and places the inmate on the service list. Dental Priority 1 cases are scheduled for the next clinic day. All inmates who request dental services are examined by the dentist.

Between June and August, 2018, the dental clinic was closed for remodeling. During that time, a total of 194 inmates were still able to receive care. If inmates required immediate services, they were referred out to an oral surgeon or a general dentist. The dentist and assistant went outside their office to provide toothbrush cleanings and fluoride treatments on site.

During the remodel, the dentist and dental assistant developed and taught a one-hour oral health curriculum for the inmates. The curriculum included information on diet, oral hygiene, the scope of jail dental care, and a list of outside resources. Inmates who attended received an informational packet. Of particular note were two handouts entitled “How to Take Care of Your Teeth, Even When You are High” and “What is ‘Meth Mouth’?”

#### *MADF -- Adult Education*

MADF currently offers almost 60 classes per week, addressing a wide variety of topics and needs. Mental health-related courses, such as substance abuse education, cognitive behavioral therapy, and behavior modification are very popular. Other courses aim to enhance life skills such as parenting and anger management.

The jail offers a variety of academic courses as well. These include basics such as reading comprehension and English as a Second Language (ESL). Individual tutoring is also available. The jail recently adopted a self-directed program, EDOVO (EDUCATION OVER Obstacles) which uses wireless tablets. The tablets can access a number of academic or vocational courses. One

key advantage is that tablets can be used by administratively segregated inmates who cannot attend group classes. Inmates are given incentives to complete courses by attaining points for time spent in study. Those points may be used to gain access to movies, music and games on the tablets. Additionally, inmates may enroll in six-week, one-credit Santa Rosa Junior College courses in math, English and culinary arts. A job skills program is offered through Goodwill Industries, providing guidance on resume preparation, interviewing skills, and good work habits.

The GED preparation courses are taught by a private licensed instructor. While MADF currently offers GED preparation, it is not yet able to award the certificate of completion. This shortcoming will be remedied by fall 2019, when MADF adopts a program known as Five Keys. Five Keys is a nationally recognized, non-profit educational corporation that operates accredited charter schools. It will provide inmates the option of obtaining the GED certificate or earning an actual high-school diploma through independent study and class work. The diploma program should enhance employment opportunities for inmates upon release, as a high school diploma is more highly valued than a GED by some employers. Santa Rosa Junior College is aware of Five Keys, and plans to integrate its courses with theirs.

## **CONCLUSION**

Our jail does a good job doing jobs a jail is not designed to do. While the Grand Jury anticipated that the Detention Division would oversee MADF competently, we were pleased how well it appears to be meeting the challenges of its outsized role. The decrease in inmate complaints over the last two years, while not fully understood, may indirectly reflect how well the Sheriff's Office is providing these additional medical and social services.

Wellpath appears to be delivering medical, dental, mental health and substance abuse care at levels at least equal to those formerly provided by DHS. Several areas, most notably dental care and the Jail Based Competency Restoration program, show distinct improvements. The new dedicated mental health unit, projected for completion in 2020, will allow the jail to go further in providing specialized care to individuals who would struggle in a general correctional population.

The Sheriff's Office has shown commitment to education through the steady improvement in the range of courses and learning opportunities. The adoption of Five Keys, a provider that understands the unique challenges of the correctional environment, should further enhance opportunities.

The Grand Jury was impressed with the professionalism and dedication of those working at the jails, both managerial as well as line staff. For example, when the dental clinic was closed for remodeling, the dentist and her assistant responded by creating a dental hygiene program which they taught to the inmates. Whether speaking with staff in their work areas, or formally interviewing managers, the Grand Jury found people were enthusiastic about sharing their accomplishments and forthcoming in identifying remaining challenges. They were, on the whole, positive and proud of their contributions to improving MADF. Many made clear their commitment to working in the detention environment.



While most of the challenges identified in this report have been adequately met, some concerns were identified.

- Many sources told us that additional nurse hours dedicated to the booking area would significantly streamline the booking process during the evening and night shifts.
- Sonoma County Public Health desires a tighter working relationship with Wellpath to increase screenings for STDs (especially syphilis), to improve the hand-off process for inmates with reportable cases, and to initiate a comprehensive vaccination program.
- Wellpath's practice of changing successful HIV/AIDS medication regimens on admission is problematic. Two outside sources asserted that changing the drug protocols of HIV/AIDS patients on admission was driven by cost containment at the expense of therapeutic considerations.
- The jail's current practice of routinely stopping all support medication for opioid addicts should be examined. This practice was questioned by at least two sources and deserves reassessment.
- Wellpath's reliance on Moral Reconciliation Therapy as the core of its therapy and substance abuse treatment is perhaps outdated. A few outside sources told us that Cognitive Behavior Therapy is more effective and addresses a wider range of therapeutic goals.

## **FINDINGS**

The Sonoma County Civil Grand Jury has determined that:

- F1. The Main Adult Detention Facility, through its contractors, is providing quality medical care, drug treatment, dental care, mental health treatment, and adult educational opportunities to its inmates. The Sheriff's Office is to be commended for its management of social services at MADF.
- F2. The Jail Based Competency Restoration program has significantly reduced the time needed to restore inmate competency to stand trial. The Sheriff's Office is to be commended for implementing this program.
- F3. Insufficient nurse staffing in the intake/booking area contributes to delays in the admissions process during evening and night shifts.
- F4. Treatment of communicable diseases at MADF – namely, tuberculosis, HIV/AIDS, syphilis and other STDs – could be improved through broader screening on admissions and more thorough discharge planning.
- F5. The lack of a comprehensive vaccination program at MADF is a missed opportunity.
- F6. MADF's current practice of never using maintenance medication to treat opioid addiction is controversial.
- F7. Inmates admitted on HIV/AIDS medications outside the Wellpath formulary are switched to alternative medications which may not be as effective or well-tolerated.
- F8. The inability for inmates to earn GED certification is a weakness in the MADF education program.

F9. Discharge coordination is insufficient to ensure effective medical hand-offs.

## **RECOMMENDATIONS**

The Grand Jury recommends that:

- R1. MADF add nurse hours to the booking area during evening and night shifts by December 31, 2019. [F3]
- R2. MADF screen all inmates for syphilis at intake by December 31, 2019. [F4]
- R3. MADF add discharge planning hours to strengthen hand-offs to appropriate health care providers by December 31, 2019. [F9]
- R4. MADF consult with an outside medical specialist to review its HIV/AIDS drug protocols and produce a report by December 31, 2019. [F7]
- R5. MADF reevaluate its policy on the use of support medications for opioid abuse reflecting current best practices by December 31, 2019. [F6]

## **REQUIRED RESPONSES**

Pursuant to Penal code section 933.05, the Civil Grand Jury requires responses as follows:

The Sonoma County Sheriff [R1 through R5]

## **APPENDIX A**

The Grand Jury toured all three detention facilities in Sonoma County. While we did not formally inspect the North County Detention Facility or the Juvenile Justice Center, some observations are worth noting.

Our Juvenile Justice Center (JJC) is a state-of-the-art facility. Opened in 2005, the JJC is located on Rancho Los Guilicos Drive, adjacent to the old Juvenile Hall. It houses youth up to age 18. The JJC has the feel of a new building. It is spacious, has two open-air gymnasiums, and a large garden tended by the residents. There is an onsite Boys & Girls Club day room for teens which features games, a large TV, snacks, and comfortable furniture. Use of the room is a reward for good behavior.

The JJC housed an average of 35-40 residents/day in 2018, a number that is decreasing due to shifts in both demographics and policy. Police, detention staff and county youth social services work together to find alternatives to incarceration for juvenile offenders. Youths facing detention are now more likely to be kept with their families, housed with a relative, or placed with a temporary foster parent.

A low number of incarcerated youth is a good problem for a county to have. Yet, at least two staff members at the JJC worry that low census might tempt the county to consider repurposing the building. Our sources believe that a viable alternative to closure would be to make the JJC a regional juvenile detention facility serving several counties. Such a plan may already be under consideration.

The North County Detention Facility houses men who are non-violent and low-risk. An inmate must earn the privilege of a low security environment. Therefore, behavior problems and injury rates at NCDF are significantly lower than at MADF. On the date of our visit, NCDF had only 341 inmates. Some modules are deliberately under-occupied to accommodate changing needs. For example, in 2018 an inmate started a fire at MADF, temporarily shutting down an entire module. Those affected inmates were quickly and securely moved to the NCDF for the duration of the remodel.

The NCDF operates a tree farm and a Service Dog Training program. The latter is a source of considerable pride for both staff and inmates. The men were full of praise for this innovative program. They proudly showed off (and talked at length about) their dogs. Staff pointed out that inmate behavior problems in this program are very low, and morale very high. Staff believe the canine program also reduces recidivism.

## **APPENDIX B**

<https://www.npr.org/2019/04/24/716398909/county-jails-struggle-with-a-new-role-as-americas-prime-centers-for-opioid-detox>

# The Behavioral Health Budget

## A Perfect Storm

### SUMMARY

In Fiscal Year (FY) 2017-2018, the budget for the Behavioral Health Division (BHD) went badly awry, showing a major shortfall initially estimated at 19 million dollars.

Sonoma County's BHD is required to deliver vital services to Sonoma County adults and children with mental illness and/or substance abuse disorders, within an honest and balanced budget. Budget creation requires knowledge and understanding of past expenditures, projected revenues, services and programs, current service level maintenance, and administrative costs. Ongoing forecasting and recalibration of the budget continues throughout the fiscal year. Interlocking parts of the budgeting system must merge in a timely and coherent fashion.

Citizen complaints led the Sonoma County Civil Grand Jury to take a closer look at the factors involved in the budget shortfall. No money is missing, it was never really there; however, the Grand Jury discovered a number of serious issues which created a "perfect storm."

Through a series of budget transfers and accounting reconciliations, the 19 million-dollar shortfall was reduced to 10 million dollars. However, this 10 million-dollar shortfall impacted BHD and other Sonoma County agencies. The causes of the shortfall lay in the lack of consistent and approved policies and procedures within the BHD system. These deficiencies included:

- hopeful but inaccurate budget forecasting
- failure to provide feedback mechanisms to correct widening budget gaps
- the lack of appropriately-trained personnel
- the delay in implementation of a new medical record, billing, and claiming system (Avatar)
- critical failures in compliance oversight
- leadership's failure to understand complex, government finance systems

It is worth noting that state and federal funding are insufficient to meet Sonoma County Behavioral Health Services' needs.

### GLOSSARY

ACA	Affordable Care Act. Health insurance mandate effectual 2014
ACCRUAL	Accounting system recording revenues and expenditures as occurred
AVATAR	Medical billing, claims and management system
BHD	Behavioral Health Division
BOS	Sonoma County Board of Supervisors
CBO	Community based organization contracted by BHD to provide services.
CLIENT	a client of BH services
COMPLIANCE PROGRAM	Internal policies and procedures of the state to guide compliance with state policies, laws, rules and regulations

CSU	Crisis Stabilization Unit. Acute care psychiatric inpatient unit providing rapid assessment and brief treatment and referral
DHS	Health Services Department oversees BHD and Public Health Division.
FISCAL SERVICES	Units within both DHS and the BHD with responsibility for budgets, billing and revenue
FY	Fiscal Year runs July 1 to June 30
FUND BALANCE	Remaining funds after assets are used to meet liabilities.
MHSA	Mental Health Services Act
REALIGNMENT FUNDS	State funds transferred to the counties to provide state-mandated services
ZERO-BASED BUDGETING	A method of budgeting in which all expenses must be justified and approved for each new period

## BACKGROUND

The Sonoma County Civil Grand Jury received numerous citizen complaints regarding the BH budget shortfall in FY 2017-18. This led the Grand Jury to examine how budgets were and are developed, and to determine whether such a shortfall is likely to recur.

## METHODOLOGY

The Grand Jury conducted interviews with the following:

- Health Services Department
- Behavioral Health Division
- Fiscal Services, Health Services
- Sonoma County Auditor’s Office
- Mental Health Board
- Complainants

The Civil Grand Jury reviewed a wide range of sources:

- Written material regarding budget development
- Local news articles
- State and federal regulations and guidelines
- County Organizational Chart
- Independent auditors’ reports
- Published budgets
- Mission statements

## DISCUSSION

### *The Budget Process*

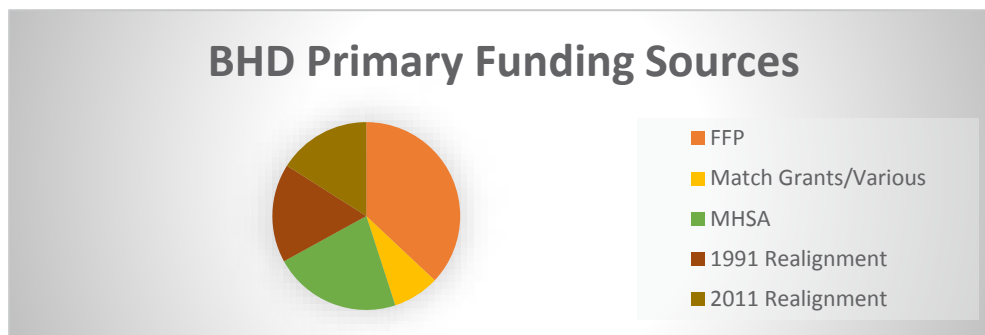
The budget must balance resources with expenditure appropriations. The County must live within its own means and avoid disturbing other local jurisdictions’ revenue sources to resolve its deficiencies. Furthermore, any deviation from a balanced budget is not permitted by the California State Government Code, which states: **“In the recommended, adopted, and final budgets the funding sources shall equal the financing uses”** [Grand Jury emphasis] (Government Code §29009).

In a structurally balanced budget, beginning fund balance may not be used as a financing source for ongoing expenditures. As noted in the Long- Range Planning section . . . the County’s goals are to maintain annual expenditure increases at a conservative growth rate, and to limit expenditures to anticipated annual revenues. **Ongoing expenditures shall be provided based on sound anticipated ongoing revenue and not include “one-time” items such as capital outlay, projects, or temporary program funding** [Grand Jury emphasis]

The BHD budget relies primarily on revenue streams from state and federal governments. State and federal governments contract with counties to deliver mandated mental health services. Counties, in turn, bill the state and federal governments for services performed. These services generally encompass mental health care and drug rehabilitation, and are delivered by county employees and county-contracted, community-based organizations (CBO).

State and federal funding is unpredictable, complex and volatile. Counties must rely on projected revenue numbers based on long-term historical records as they build their budgets. Dedicated funding streams fluctuate based on the source. For example, MHSA funding is dependent on revenues from the “millionaires’ tax.” Projected expenditures are also based on historical data and are equally volatile. Actual revenues and expenditures are reviewed periodically throughout the year and, hopefully, appropriate adjustments are made.

*Revenue Sources*



Behavioral Health’s major funding sources:

- FFP (Federal Financial Participation) - Approximately 37% of the BHD budget. FFP represents the federal government’s share of the county’s MediCal (Medicaid) expenditures. County mental health plans are reimbursed in interim amounts based on approved MediCal services.
- MHSA (Mental Health Services Act) - Approximately 22% of the BHD budget. California Prop 63 (2004) created a one-percent tax on personal income over one million dollars. Received directly from the state, BHD spends these funds on programs based on community input as required by the MHSA. It is a flexible funding source designed to encourage counties to develop a broad continuum of programs. This included prevention, early intervention and service needs, and the necessary infrastructure technology and training elements (not covered by

insurance or federally supported programs) to effectively support this system. These state funds were also intended to ensure that expenditures for these programs were cost-effective and that services provided followed best practices.

- 1991 Realignment Fund - Approximately 16% of the BHD budget.  
An allocation designed to provide a funding source from the state directly to BHD for designated programs, formerly run by the state. The amount is based on the previous year plus a five- percent annual year growth. This source is funded through vehicle license fees, and a one-half percent sales tax.
- 2011 Realignment Fund - Approximately 17% of the BHD budget.  
An extension of the 1991 Realignment. Additional funding came from vehicle license fees, an increase in sales tax to a total of one percent, and a one-time transfer of MHSA funds.
- Matching grants and various funding - Approximately 8% of the BHD budget. Some funding relies on matching funding from several sources, such as the Affordable Care Act (ACA), the Whole Person Grant, etc.

### *Expenditures*

Expenditures fall into two primary categories, direct and indirect.

Direct costs include staff salary and benefits, administration, in-patient care costs, and new program development. These may vary widely during the budget year despite preliminary projections. Salary and benefits, comprising significant portion of the budget, are negotiated annually. Treatment costs include the number of staff positions, which varies by client number and needs. New program development and implementation require projections for both administrative costs and costs for program infrastructure. Some grants limit administrative costs.

Indirect or fixed costs include information technology and support (ITS), Human Resources (HR), Fiscal Services (FS) and overhead expenses (rent, utilities, etc.). Fixed costs are usually settled at the beginning of a budget year and do not vary widely during that year, so budget projections for these categories are relatively predictable.

### *The Budget Cycle*

- January - March: The Governor releases the proposed state budget for the upcoming fiscal year. BOS approves budget development process. Departmental budget requests are submitted to the County Administrator. Staff prepares the Recommended Budget, working with departments to incorporate established policy direction and fiscal targets.
- April - May: County Administrator staff reviews department submitted budgets requests and balances the Recommended Budget as verified by the Auditor-Controller-Treasurer-Tax-Collector in preparation for budget hearings. Third quarter budget estimates and adjustments are presented and adopted, as needed. Governor releases the “May Revision”

budget, which may impact County departments/agencies that significantly rely on state funding.

- June - August: BOS conducts budget hearings and adopts the recommended budget with changes as determined at the budget hearings. The County Administrator and the Auditor-Controller-Tax-Collector request delegated authority to make administrative budget adjustments to close out the fiscal year.
- September - November: County Administrator and Auditor-Controller-Tax Collector compile the Adopted Budget, which includes changes approved by the Board during budget hearings. Current year first quarter budget adjustments are presented and adopted as needed. The County Administrator's Office and the Auditor-Controller-Treasurer-Tax-Collector establish fund level targets.

### *Budget Shortfall*

The BHD operated at a deficit in which expenses exceeded budgeted expenses for many years. Although an accrual-based accounting system (formerly used by the county) enabled BHD to present a balanced budget to the Board of Supervisors, funds budgeted to close the prior year were projected as income for the ensuing year. Other county sources to close the end-of-year deficit were also used: Public Health, one-time and matching grants, fund balances, anticipated federal and state reimbursements, and speculative potential sources. These end-of-year money transfers created the appearance that all services were covered by the "official" budgeted revenue sources, when, in reality, there was a yearly shortfall.

Historically, the budget was developed through ongoing communications between DHS Fiscal and BHD, consistent with estimates calculated by BHD. However, the leadership and system did not support collaborative communication. In FY 16-17 and FY 17-18, the revenue projections from DHS Fiscal, related to federal reimbursements, were dramatically different than the amounts developed by BHD, and incorrect numbers were entered into the budget. The estimate of future revenues was based on flawed assumptions.

State and federal government systems also impacted budget development. The state contracts with the counties to provide services. Counties are funded by the state based on a formula that takes into account actual expenses billed for services two years prior, augmented by a consumer price index adjustment (similar to COLA). This is a predictable revenue source and not considered reimbursement. The county is responsible for providing services and accurate documentation of services.

BHD program oversight of the billing process was lacking. The Avatar electronic charting and billing system, which should have increased efficiency and accuracy in billing, was never fully implemented. Division understaffing resulted in overworked employees prioritizing good client care above electronic charting. Errors in billing led to required "payback" liabilities to the state and federal agencies. Consequently, revenues projected on the basis of state and federal contributions were flawed. No funding was set aside to reconcile these liabilities. Auditing of

expenses and billing by the state and the federal government of actual expenses may lag by as much as five years. This will continue to distort revenue projections.

Revenue received from Prop 68, the 2004 Mental Health Services Act, was intended to provide increased funding, personnel and other resources to encourage innovation, support county mental health programs, and monitor the county's progress toward goals consistent with statewide goals. These revenues were also intended to ensure that expenditures were cost-effective and that services provided followed best practices. County programs were determined through targeted public input. Innovation was encouraged. Expecting increased MHSA funding each year, statewide BHD budgets projected unrealistic annual increases, failing to take into account actual revenues.

Funding received from the federal government often requires matching funds from the county. The county's share of these matching funds comes from state Realignment Funds. Expected increases from the 1991 Realignment funding were diverted to the Social Services Department; however, the division continued to claim the additional revenue in budget development.

MediCal reimburses only the first 20 hours of a client's stay in the mandated Crisis Stabilization Unit (CSU), which treats psychiatric emergencies. Exceeding the reimbursable time resulted in the county shouldering the excess expense. These expenses are unpredictable and unavoidable due to a lack of appropriate post-CSU treatment facilities for client transfer. The lack of in-county enhanced treatment facilities for long-term care requires Sonoma County to place clients out-of-county. The fiscal impacts of these transfers include client placement in locked facilities providing 24-hour care, and transportation costs. It was not clear to the Grand Jury whether expenses would decline if clients remained in-county.

BHD failed to adequately oversee all CBO contracts and ensure that contractual numbers were met. The job of maintaining accuracy in billing falls both to the biller (CBO) and the Behavioral Health Compliance Officer. The Compliance Officer ensures that each billing is legitimate for the purpose mandated by law. The lack of sufficient training for CBO personnel caused Compliance personnel to assist with billing which they were then required to audit. This led to possible conflicts of interest. It also posed an independence issue for the Compliance Program staff in any oversight audits. The failure of the county to conduct due diligence in auditing CBOs led to loss of revenue and exposed the county to risks of fraud, waste and abuse. A public report requested by the department noted that "The Compliance Program's scope and functioning [was] not fully understood and operationalized across the department." Nearly half of the budget is paid to community-based organizations (CBOs).

During the FY 17-18 budget crisis, BHD was instructed to reduce contract amounts across the board by 15%, but failed to follow through, exacerbating the budget shortfall. In addition, BHD failed to establish and audit CBO performance standards on a regular basis. DHS failed to support a Compliance Program critical to audits required for all counties by the state.

## **CONCLUSION**

Behavioral Health Division has a history of annual budget shortfalls. Starting with Fiscal Year (FY) 14/15 the budget deficit was \$8.09 million, FY 15/16 was \$5.0 million, FY 16/17 was



\$11.0 million and FY 17/18 was \$10 million. Current estimates for FY 19/20 indicate an approximate 8.5 million dollar shortfall. In earlier years, the shortfall was mitigated by revenue from fund balances. In FY 17-18, fund balances were insufficient to meet revenue shortfalls.

The Civil Grand Jury consistently and repeatedly requested fiscal policies and procedures within BHD. None were forthcoming.

Leadership's lack of knowledge and understanding of government finance systems contributed to inaccurate forecasts of revenues and expenditures. Significant turnover in Fiscal Service employees in key positions, without replacing them with persons with equivalent knowledge, experience and training, contributed to lack of understanding of vital budget and accounting processes. Section and program managers were excluded from budget development, contributing to inaccurate projections of service needs. This exclusion also led to the inability to control program expenditures. Professional communication was stifled by a culture of retribution and neglect which impacted the free flow of information. This led to an egregious lack of transparency.

## **COMMENDATIONS**

The Grand Jury commends the Department of Health Services leadership in addressing the structural problems of past budget development methods and instituting robust and timely changes to ensure that this process remains transparent, accurate and responsive to change.

The new cash-based accounting system adopted by Sonoma County in FY 17-18 requires that revenue only be recorded when received.

We acknowledge the employees of the BHD who work in a difficult situation and continue to provide quality services to the residents of Sonoma County.

## **FINDINGS**

The Sonoma County Civil Grand Jury has determined that:

- F1. The Department of Health Services Fiscal Department lacked formal, written policies and procedures congruent with industry-standard budget development.
- F2. BHD failed to establish and audit all CBO performance requirements.
- F3. Projected revenue from anticipated programs and contracts continually failed to materialize, but remained in the budget.
- F4. CSU costs exceeded anticipated revenues for those clients staying longer than the time reimbursable (20 hours) from MediCal for CSU services.
- F5. Lack of adequate personnel compromised the Compliance Office's effectiveness. It also posed an independence issue for the Compliance Program staff in any oversight audits.
- F6. The failure to fully implement the medical record, claims and billing software, Avatar, continues to result in lost revenues.

- F7. Although current leadership understands government finance and budgeting process, the Grand Jury found that past BHD and DHS leadership lacked understanding.
- F8. Budget development process lacked transparency and staff participation. Section and program managers were not included in budget development.
- F9. Professional communication was stifled by a culture of retribution and neglect which impacted the free flow of information. This led to an egregious lack of transparency.
- F10. Inadequate staffing and insufficiently trained staff in DHS Fiscal led to a severely flawed budget for both FY 16-17 and 17-18.
- F11. The budget shortfall caused BHD to reduce vital staffing.
- F12. Auditing procedures designed to detect incorrect revenue information were not evident.

## **RECOMMENDATIONS**

The Sonoma County Civil Grand Jury recommends that:

- R1. The CAO's office create and maintain policy and procedure manuals for each DHS department, and desk manuals for all positions in Fiscal and Behavioral Health Divisions by Dec. 31, 2019 [F1]
- R2. DHS prioritize implementation of the Avatar system by Dec. 31, 2019 [F6]
- R3. BHD include all managers in budget development and review by Dec. 31, 2019. [F8]
- R4. BHD institute procedures for effective and respectful staff communication and support at all levels by Dec. 31, 2019. [F8, F9]
- R5. DHS continue and expedite the CBO contract evaluation and build performance metrics by Dec. 31, 2019. [F2, F5]
- R6. DHS and BHD receive continued training in government finance by Dec. 31, 2019. [F3, F7]
- R7. DHS hire a CFO who is experienced in government finance and systems. [F7, F12]
- R8. The County Auditor's Office institute procedures for verifying actual revenue figures, rather than verifying that projected budgets balance, by Dec. 31, 2019. [F12]
- R9. The Compliance Program be adequately funded and supported, by Dec. 31, 2019. [F5]
- R10. We recommend the BOS review its budget oversight responsibilities by Dec. 31, 2019 [F3, F7]

## **REQUIRED RESPONSES**

Pursuant to Penal Code sections 933 and 933.05, the grand jury requests responses as follows:

From the following elected county officials within 60 days

Sonoma County Assessor-Auditor [R9]

Sonoma County Board of Supervisors [R1, R10]

From the following governing bodies within 90 days

CAO [R1]

Director of Health and Human Services [R2,R3, R4, R5, R6, R7, R8, R9]

Director of Human Resources [R6, R7]

## **BIBLIOGRAPHY**

Sonoma County Department of Health Services "Compliance Program Review" Dec. 2017

# MANAGING PUBLIC PROPERTIES IN SONOMA COUNTY

## Uncoordinated Decisions and Neglect

### SUMMARY

The Sonoma County Civil Grand Jury investigated the use of capital assets that the County of Sonoma uses primarily for general government purposes. These include the various departments that contribute to overall services. The Grand Jury did not study those relating to special districts and functions (parks, water, airport, and infrastructure such as roads, and bridges).

Sonoma County government serves the more than half million residents of the county at an annual cost of a billion dollars. These government activities are supported through the services of nearly 3,300 employees and investments of one and a half billion dollars in assets, about a third of it land and buildings.<sup>1</sup>

The investigation focused on the policies and practices governing the management of properties owned and used by the County of Sonoma for general government purposes. The objective was to determine the existence, adequacy and implementation of policies, procedures, and financial records needed for sound management of government land and building assets.

This report examines the following areas and their identified issues:

- The Enterprise Financial System - the lack of a comprehensive database.
- The 5-Year Capital Improvement Plan - usurped resources
- Deferred maintenance - continued deterioration of assets
- Lack of integration - departmental isolation
- Going forward - decision hurdles

The Grand Jury found that responsibilities, resources, and decisions for capital asset management are divided between various departmental units. The responsibilities are not always well identified, known, or coordinated. Records are kept on multiple platforms, leading to duplication and error-prone transfer of data. Limited funds for capital asset development are allocated heavily to a few high-profile needs. Necessary long-term decisions are being forfeited to meet near-term exigencies. Overdue maintenance leads to degrading facilities and impacts long-term planning. Useful metrics for capital asset management are not consistently generated, nor communicated regularly to decision makers. Funding for capital assets replacements and development are addressed retrospectively rather than prospectively. Policies may need enforcement, revision, or replacement.

The true cost of maintaining County facilities has been substantially understated. The Grand Jury found that normal maintenance and repair of County facilities have been underfunded and therefore neglected, leading to more rapid deterioration of the facilities. Deferred maintenance is considerable; the costs to rectify the problem distort current maintenance budgeting and impact plans for future facilities. The County Administrator's Office is considering reorganizing maintenance services as an internal activity; costs would be allocated on an equitable basis to fund maintenance services at a more realistic level.

The Grand Jury recommends facility maintenance be provided at levels commensurate with industry standards. The Grand Jury also recommends that deferred maintenance be reported as an adjunct to regular financial reports so that statistics are available for review annually by department heads and the Board of Supervisors.



Hood House 1885, Los Guilicos, Sonoma County Heritage property. Although there was an important upgrade in 2008, the facility is essentially unused.

**GLOSSARY**

ACTTC	Sonoma County Auditor-Controller-Treasurer-Tax Collector
CAO	County Administrative Office
FASAB	Federal Accounting Standards Advisory Board
GAAP	Generally Accepted Accounting Principles
GASB	Government Accounting Standards Board.
SFFAS	Statement of Federal Financial Accounting Standards
Capital Assets	Tangible and intangible assets of significant value that are used in operations and have a useful life beyond one year.
Impaired Asset	An asset whose fair value is less than stated book value, often because it was impacted by a unique event such as fire or flood.

Normal Maintenance and Repairs	Routine recurring work required to keep a facility in such condition that it may be continuously used at its original capacity and efficiency for its intended purpose.
Deferred Maintenance	Normal maintenance and repairs that were not performed when they should have been or were scheduled to be, and which are put off or delayed for a future period.

## **BACKGROUND**

County records show assets owned by Sonoma County are valued at approximately 2 billion dollars. There are over 90 county-owned buildings, comprising 1.6 million square feet of space located on almost 500 acres. Another 400,000 square feet of leased space are used by county departments. The County Administration Center alone represents 470,456 square feet of office space, not including the detention facility and the sheriff’s buildings.<sup>ii</sup>

The County has established policies and procedures that guide:

- planning, funding, procurement, maintenance, and disposition of capital assets
- fiscal and budgetary authorization and control
- resource allocation, inventories, and valuation
- duties of those who implement the policies and procedures

The primary responsibility for implementing those policies rests with the senior managers and officers of the County. Their duties include compiling routine reports on the above and projecting the impact those findings have on the needs and well-being of the County and its residents.

The cost of keeping facilities maintained, repaired, and in good operating condition is substantial. Dollars to pay those costs come largely from the same limited resources that fund other important programs and services, resulting in a perennial budgeting tension. In recent years, the recession, fires, and floods have diminished tax revenues and increased demands for emergency services. One way the County has balanced the budget in the short run has been to spend less for maintenance and repairs. Unfortunately, facilities that aren’t adequately maintained wear out more rapidly, resulting in even higher maintenance or replacement costs.

Some of the County’s capital assets have reached the end of their useful lives and others are approaching that condition, in part because so many normal maintenance and repair measures have been deferred. The County does not have funds to replace the facilities, and might not be able to float a bond issue to finance them. The County is therefore considering other potential modes for solving the problem. Given these circumstances, it is reasonable to question if the County’s policies and practices for capital assets are both adequate and observed.

## **METHODOLOGY**

The Sonoma County Civil Grand Jury studied issues of implementation and adequacy of policies and practices governing the management of county assets and the control of real properties owned and employed by the County of Sonoma for general government purposes.

The investigation included interviews of public officials and staff from the Sonoma County Administrator’s Office, Auditor-Controller-Treasurer-Tax-Collector’s Office, and the General Services Department.

## **DISCUSSION**

### *Capital Assets and Their Management*

Among Sonoma County’s resources are land, buildings, and related facilities, which constitute a substantial investment by the taxpaying public. It is the duty of government to provide and maintain capital assets that meet the needs of taxpayers, employees, and the general public, and to manage capital assets wisely. Government services can be unfavorably affected if investments are not sufficient, effective, or economical.

Most of the County’s general government facilities are contained in three campuses, County Administration Center, Chanate Medical Complex, and Los Guilicos. Two thirds of the buildings were constructed before 1970. At all three campuses, routine preventative maintenance and repairs have been neglected – either unfunded or underfunded due to budgetary constraints – with the result that physical deterioration is evident.

The County is attempting to sell the Chanate campus, the site of the abandoned hospital and several entities that remain. The Los Guilicos campus harbors a collection of unrelated structures which range from the 1858 Hood House and Knights of Pythias buildings to a modern Juvenile detention complex, Valley of the Moon Children’s Home, CASA (Court Appointed Special Advocate for children), and Grand Jury office. Much of the compound has long-abandoned buildings that will never be used again. Despite efforts by PRMD (Permit Sonoma) in 2006, the County still lacks an active long-term plan for the Los Guilicos property.<sup>iii</sup>

Good management often begins with good information needed to make good decisions. In Sonoma County, considerable effort and expense has been applied over the past nine years to implement a new County-wide information system known as the Enterprise Financial System (EFS), with capabilities to budget, receive revenues, approve and make disbursements for expenditures, and generate financial reports. Management decisions must combine this other information such as the needs of citizens and the business community, employee workloads and working conditions, and the suitability of capital assets that support people and operations.

The Grand Jury has identified three policies that govern capital asset management for Sonoma County- one that governs accounting and financial reporting, and two that govern operational activities:

### Sonoma County Government Policies Pertaining to Capital Asset Management

- Policy FA-1: Accounting for Capital Assets *See Appendix A*
- Policy 5-2: Policy for Capital Project and Asset Responsibility
- Policy 7-2: Real Property Acquisition and Management

### *Assets Management and Organizational Integrity*

Capital assets management includes a wide variety of functions, divided among various departments: planning, funding, design, procurement, construction, recording, operation, maintenance, preservation, insurance, security, and demolition. No one person or department coordinates all of these activities.

The CAO is responsible for budgeting activities and many of the budget decisions that impact capital assets. The ACTTC is responsible for capital asset financial records and reporting. Many of the responsibilities for planning, development, operation, and maintenance of buildings and other capital assets fall to the General Services Department. Other departments are responsible for health and safety, and for property and liability insurance. A biennial inventory of capital assets is conducted by the ACTTC. Permit Sonoma convenes a commission with oversight of landmark properties throughout the county, while the County's own heritage properties seem to be abandoned. The Grand Jury explored only part of this complex scope.

The General Services Department is responsible for most County real properties management, planning, maintenance, and repairs including those for Sonoma Water, the Open Space Districts, and Community Development Commission - all of which rent County properties. Approval for these activities requires general budgetary or project-specific approval from the Board of Supervisors. All departments report to the County Administrative Officer, who delegates responsibility.

### *Assets Management and Planning*

Long-term facilities planning is embodied in a five-year capital development plan. The plan for 2018-2023 identifies \$93 million of expenditures for fiscal year 2018-2019, with the bulk of the funding from grants, transfers, and other special funds. The General Fund contribution is \$5.5 million.

Projected spending for the five years is considerably higher. \$315 million of the total requested is for County government center facility capital improvements, with \$68 million of the activity scheduled for 2018-2019. The total includes \$70 million to remedy the most critical deferred maintenance needs, funded at \$14 million a year.

The County's five-year capital improvement plans are assembled annually by General Services from proposals submitted by departments. The CAO establishes criteria and an overall budget for these proposals. Departmental submittals are scored by General Services in a manner consistent with weighting scales established by the CAO, with safety and health standards high on the priority list. The CAO's office determines the final consolidated proposal which will be presented to the BOS. When budgeted funding is minimal, capital improvements are low priority. In recent years, with recurring limited funding, 5-year plans consist largely of unfunded proposals from previous years.

Capital Assets planning goals for the current fiscal year are:

- Develop a County facilities financing and development plan, which may include a public-private arrangement to redevelop the County Administration campus to reduce

- deferred maintenance costs and enhance the public's access and service delivery experience.
- Complete review of internal services cost allocation to departments with the goal of establishing a leveled operational cost that departments can use for fiscal planning.

The County conducts a biennial capital facilities survey, handled out of the CAO's or ACTTC's office, with no focused involvement of General Services. Asset activity responsibilities are spread throughout County agencies without close coordination.

#### *Additional Asset Responsibilities*

General Services also has responsibility for the County's heritage facilities. When interpreted narrowly, heritage facilities are limited to those on the National Register. The Hood House Mansion at Los Guilicos is the only qualifying facility. There are no funds available to General Services for maintaining Hood House.

Permit Sonoma is responsible for the County's Historic Landmarks effort, which monitors historic resources that a Landmarks Commission has determined to be significant based on local, state, and federal criteria. The Landmarks Commission reviews development proposals involving historic properties (most of them privately held), and administers an historic resources preservation program. Hood House is not on the historic resources list, where it presumably would be eligible for the preservation program.

#### *Assets Management and the Enterprise Financial System*

In a major shift that began in 2012 and took several years to complete, Sonoma County discarded an outdated program for financial accounting and reporting that it had been using<sup>iv</sup> and replaced it with a more capable Enterprise Financial System (EFS) leased from Oracle.<sup>v</sup> The new system is being used by all departments and agencies of the County to manage budgeting, financial, and accounting transactions, and to produce reports.

The County's EFS was instituted primarily for accounting/record and other financial purposes. It remains within the organizational responsibility and control of the County's ACTTC (Auditor-Controller-Treasurer-Tax Collector) office.<sup>vi</sup> It contains a dozen or more operating modules including cost accounting and asset management.

The Asset Management module has capabilities that are more extensive than accounting and finance.

*“Asset Management is designed to help maintain physical control over existing depreciable and non-depreciable assets, calculate and maintain depreciation schedules and lease information. With a single centralized repository of asset data, AM becomes the core for all assets and related activities. By incorporating these business processes into a single integrated database, AM can help reduce reconciliation and data integrity problems. The AM module offers features that allow the addition of new assets, perform transactions during their useful life right through to retirement, and record the accounting*



*entry details in accordance with regulatory requirements. AM will also be integrated with Project Costing in Phase 2 to share information about assets that are associated with ongoing projects.”<sup>vii</sup>*

Most of the non-financial asset management features of the Asset Management module that are available to operating departments have not been implemented. This offers a cost-effective ongoing opportunity for departments to take advantage of the additional features. Departments are not currently implementing these features in spite of their recognized value.

The current accounting and financial programs used by various departments in the County and the slow implementation of the new EFS module could be hindering the flow of information to County department heads and the BOS. This delay may be due to cost and limited training time availability as well. Because the EFS has modular capabilities that could capture the maintenance history of various assets in addition to accounting data, information could be recalled quickly to facilitate decisions.

County employees also use in-house systems which serve departmental purposes, but are not employed uniformly throughout the County. A more extensive use of EFS would streamline procedures and provide an accessible depository of valuable information to be viewed and analyzed while making decisions regarding County assets.

#### *Assets Management and Deferred Maintenance*

Physical things require maintenance to keep them in working order. Deferred maintenance is the practice of postponing maintenance activities such as repairs on property in order to save current costs, meet budget funding levels, or realign available budget monies. The failure to perform needed repairs could lead to asset deterioration and ultimately asset impairment. Generally, a policy of continued deferred maintenance may result in higher costs, asset failure, and in some cases, health and safety implications. The term “deferred maintenance” represents the difference between the estimated cost of normal maintenance and repairs, and how much was actually applied.<sup>viii</sup>

Inadequate maintenance of heating, cooling, ventilation, or rain protection compromises health, comfort, and safety. A few examples in the County were: in one office building 4 of 6 rooftop HVAC units failed and remained that way during the entire winter season, resulting in employees working in coats and parkas to accommodate the 50-degree working conditions. In another example, an excessively high CO<sub>2</sub> level in a courtroom had to be treated with a costly night flush ventilation routine. And in the public men’s room at Los Guilicos, half of the urinals haven’t worked for years.

Building maintenance in Sonoma County was kept up fairly well until the 2008 Recession, and then was significantly deferred. Deferred maintenance has not recovered since then. Ongoing maintenance is underfunded. There is little funding for demolition; unused properties are largely abandoned in place.

Between 2000 and 2007 the maintenance budget increased as the square footage increased. From 2007 to 2011 there was a 47% reduction in the maintenance budget even with a reduction

in staff and an increase in square feet. In a May 8, 2018 report to the BOS it was noted that the “assets demands for services has continued to grow.”

The insufficient operating budget has created a backlog of \$258 million in deferred maintenance on the County Center Campus alone. Projected over 20 years, the deferred maintenance at the County Center grows to over \$650 million assuming a 6% construction cost escalation. Deferred maintenance will continue to increase unless the buildings are replaced or significant investments are made to address the deferred maintenance backlog. Today the County would need to invest \$25.3 million annually over the next 20 years just to catch up with the deferred maintenance.<sup>ixC</sup>

Both the 2017 firestorm and the 2019 floods have impacted the County’s ability to provide funding for deferred maintenance. The County is unable to cover those costs, and there are no additional funds to pay more towards all maintenance annually and pay off the backlog.

According to the May 2018 report, “the estimate to pay that off is to increase the General Services budget by almost 3 million dollars per year.” The solutions reviewed by the County were:

- continue the status quo, which would never catch up given the rate of structural and building systems deterioration
- catch up on deferred maintenance, which would require the County to dedicate a fixed annual amount and funding that outpaces inflation
- create new construction, which requires new funding
- lease buildings, which also requires budget allocation

Current building maintenance and deferred maintenance are untenable. Solutions will take years, and the BOS will be central to the process.

When deferred maintenance is allowed to accumulate significantly, the assets themselves are impaired; impaired assets warrant adjustments in book value if the amounts are material, and that impacts the value of collateral for other purposes. *See Appendix B.*

VFA Associates, a consultant engaged in 2014, established deferred maintenance dollar amounts for most County facilities. These values were based on facility age, condition, and component costs, using established standards. The figures are adjusted annually with a building cost index to reflect inflation. The County lacks an established internal resource capable of creating comparable estimates. The County will again need to contract with a consultant, at considerable expense when fresh estimates are needed.

The BOS did establish a deferred maintenance fund a year ago, but funding has been inconsistent and the fund has been used to cover other program costs. General Services recently proposed an Internal Service Fund approach in which all departments will be charged a occupancy fee.

The BOS receives sporadic reports of deferred maintenance. The BOS needs regular, consistent reports, preferably in the County’s annual CAFR (Comprehensive Annual Financial Reports). An appropriate way to do this is illustrated by Federal Standards *Accounting for Property, Plant,*

*and Equipment.* The Standards call for deferred maintenance and repairs information to be shown in a supplemental footnote within the regular financial reports. *See Appendix C.*

### *Assets Management and the County's Future Building Needs*

Several years ago, the County became concerned that some of its real estate holdings were not providing full value, such as generating revenue and/or increasing utilization. Two thirds of these buildings were constructed before 1970. At the three major campuses (Chanate Medical Complex, Los Guilicos and the County Administration Center), routine preventative maintenance and repairs had been neglected – either unfunded or underfunded due to budgetary constraints.

To illustrate some of the problems with decaying infrastructure, the Civil Grand Jury offered this example: the Chanate Property in 2016 was appraised unimproved at \$7 million and estimated improved at \$275.5 million. Measures to prevent vandalism, fires and cover security cost the County more than \$800,000 annually. The remaining eleven aging buildings over the past ten years have cost the County \$2.6 million in capital improvements while maintenance and utilities have cost approximately \$6.3 million.

A consultant's report last year, May 2018, recommended replacing “the campus” using a developer in public/private partnership. An update of that proposal was presented to the BOS on January 29, 2019. One group of County leaders prefers construction of new facilities using a Public/Private/Partnership Model (Performance Based Infrastructure). Under the PBI Model, design, construction, financing, operations, and maintenance are bundled together into a single program with a contracted entity. The government entity continues to own the land through the duration of the term. The cost to the government can be distributed over a longer period of time than by bonding – typically 35-40 years vs 25 years - and payments can be linked to operational performance. Other county leaders recommended a Certificate of Participation that would need to be collateralized by another asset. This option would not require voter approval.

The County has looked at reports since 2007 as tools to determine how to better increase utilization of the County Administrative Center and surrounding properties for possible commercial development that could generate revenue.

In 2009, Sonoma County developed a Comprehensive County Facilities Plan under the Strategic Plan Objectives for County facilities. Some proposals to address limited funds included:

1. Reduce the number of major complexes owned by the County, using the unneeded assets to generate revenue.
2. Start the process to analyze the county's needs and assets, develop strategies for how the real estate can be developed, improve services, reduce carbon footprint, increase asset utilization, and possibly generate additional revenue.
3. Consider the project charter roadmap, Comprehensive County Facilities Plan, includes service delivery, real estate and financial plan. The financial plan includes an analysis of surplus real estate which could be leased, sold or developed.

A beneficial outcome from the proposals is that the County owns a considerable amount of valuable real estate which is generally under-developed and underutilized. This proposal was a

way to determine the use of the assets “to generate revenue to help pay for facility improvements.”

The strategic priority to replace the County building structure has multiple goals, one of which is to revitalize the County campus to reinvent and improve County facilities, and to identify land available for housing, retail and office development in order to achieve long term revenue generation. The County has been spending a significant amount of money on costs associated with empty/unused buildings. The County Administrator’s Office is considering new funding programs which may create stable flows of revenue. It would function like an internal savings account for each department to save funds for deferred maintenance and new projects. However, if departments are currently scraping by, how could they contribute to a sufficiently robust “savings” account?

## **CONCLUSION**

The history and present moment of managing public property in Sonoma County has led to uncoordinated decisions and neglected assets. County administrators and employees have been stymied by economic realities, shifting state resources, a fragmented data system, catastrophic fires and floods. These public property issues are formidable and County administrators are tasked with difficult decisions. The Sonoma County Civil Grand Jury hopes that this report will assist county administrators and the public in understanding how we got here, where things stand presently, and create an interest and involvement in civic decisions regarding public property as we go forward.

## **FINDINGS**

The Sonoma County Civil Grand Jury has determined that:

- F1. Deferred maintenance of County buildings and other facilities has become so considerable that it requires extraordinary measures and limits management’s ability to plan effectively for future facilities.
- F2. Sonoma County Capital Assets Policy FA-1 fails to provide sufficient reporting for management to determine the extent to which normal maintenance and repairs of buildings and other County facilities are being deferred.
- F3. There is no formal requirement that County departmental administrators inform the Board of Supervisors regarding current-year deferred maintenance decisions on capital assets including cost to the County budget.
- F4. Real asset records are scattered over an excessive number of record keeping and asset management systems.
- F5. General Services, as well as other departments, have yet to take advantage of integrating with the Enterprise Financial System’s Asset Management module which provides asset tracking, acquisition, maintenance, inventory, and cost-sharing.

- F6. The true cost of maintaining the County's facilities has been substantially understated for over a decade by deferring needed maintenance.
- F7. Facility maintenance is persistently underfunded, at levels substantially below recommended industry standards.
- F8. Deferred maintenance costs are continuing to accumulate to an extent that they constitute a major reduction in asset value not reported in the County's financial statements.
- F9. Deferred maintenance contributes to more rapid deterioration of facilities and therefore, in the long run, to higher facilities costs.
- F10. Public and employee safety are adversely affected by deteriorating building conditions brought about by deferred maintenance.
- F11. The current condition of facilities creates a difficult environment for making future plans and decisions about used and new facilities.
- F12. The County lacks in-house capabilities for determining and setting deferred maintenance valuations.
- F13. Capital assets that suffer from significant accumulations of deferred maintenance may be impaired assets for accounting purposes.
- F14. The Board of Supervisors has not been able to fully implement the Capital Improvement Plan due to appropriation of funding to other departments.

## **RECOMMENDATIONS**

The Sonoma County Civil Grand Jury recommends that:

- R1. The ACTTC (Auditor-Controller-Treasurer-Tax Collector) establish a procedure by October 1, 2019, to supplement Capital Assets Policy FA-1 with deferred maintenance reporting comparable to that in Federal Accounting Standards SFFAS 6, 40 & 42. [F2, F8]
- R2. The County Administrator obtain an independent cost analysis and justification of deferred maintenance on capital assets from each department head and present to the Board of Supervisors by March 2020, and following on an annual basis. [F3]
- R3. The County Administrator work with department heads to evaluate and take advantage of the EFS Capital Asset Management module to avoid duplication, consolidate data, provide cost savings, and report updates to the Board of Supervisors by December 31, 2019. [F4, F5]
- R4. The County Administrator and the Board of Supervisors budget regularly for facility maintenance at levels consistent with recommended industry standards by December 31, 2019. [F6, F7]

- R5. The Director of Health Services reduce employee and public exposure to hazards, minimize risks of OSHA and liability exposure by enforcing a higher level of maintenance by December 31, 2019. [F10]
- R6. The County Administrator and the General Services Director assign resources such as sufficient staffing for determining and setting deferred maintenance valuations by December 31, 2019. [F12]
- R7. ACTTC review assets with accumulated deferred maintenance and adjust the record of accumulated depreciation if material impairment is found by July 1, 2020. [F13]

**REQUIRED RESPONSES**

Pursuant to Penal Code sections 933 and 933.05, the Civil Grand Jury requires responses from the following officials as follows:

- Auditor-Controller-Treasurer-Tax Collector [R1, R7]
- Board of Supervisors [R1, R4]
- County Administrator [R2, R3, R4 R5, R6]
- General Services Director [R2, R3, R5, R6]
- Director of Health Services [R5]

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Sonoma County Administrative Policy Manual November 23, 2018:

-5-2 Policy for Capital Projects and Asset Responsibility. A-I. June 11, 2007.

-7-2 Real Property Acquisition and Management Policy. July 27, 2004.

Sonoma County Comprehensive Annual Financial Report 2017, 2018

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#### **APPENDIX A - *Accounting for Capital Assets and Deferred Maintenance***

Sonoma County’s standards for accounting and financial reporting of capital assets appear in Policy FA-1, Accounting for Capital Assets. “The purpose of this policy is to present a uniform method of maintaining Sonoma County’s capital asset records and to apply a consistent method of accounting for capital assets.” Among the features: Safeguard sizable public investments, Establish responsibility and accountability for custody of assets, and Formulate future acquisition policies.”

The Auditor-Controller “...shall prescribe, and shall exercise a general supervision over the accounting forms and the method of keeping the accounts of all offices, departments and institutions under the control of the board of supervisors....” The California Government Code, on which this Policy is based, provides further: “In addition to the accounts required by law the auditor-controller shall, upon order of the board of supervisors, maintain such accounts and statistics and prepare such reports therefrom as the board may deem necessary for its information and use ....” The Board of Supervisors is therefore responsible for specifying what information they need to manage deferred maintenance costs, among other interests.

#### **APPENDIX B – *Capital Assets: Impaired Values***

When events occur or circumstances change in ways suggesting that the carrying value of a long-lived asset may not be recoverable, the value should be reviewed; when appropriate the impaired asset should be recorded at its estimated fair value. This is the current standard practice acknowledged by Sonoma County staff.

Depreciation schedules and accumulated depreciation values are premised on normal maintenance and repairs; facilities that get less than normal maintenance and repairs are subject to extraordinary physical deterioration. While a small amount of deferred maintenance may not be material for accounting purposes, if deferred maintenance is permitted to accumulate, the value of the asset may be impaired and should trigger an adjustment in the book value of the asset.

#### **APPENDIX C – *GAAP and Deferred Maintenance***

To promote consistency and good practice, the accounting profession follows Generally Accepted Accounting Principles (GAAP) and recognizes the authority of several accounting standards boards. There is a Financial Accounting Standards Board (FASB), a Government Accounting Standards Board (GASB), a Federal Accounting Standards Advisory Board (FASAB), and groups that serve

professional consortia, industries, and countries overseas,. They pay attention to each other and their standards are similar, but there are differences too. Despite the differences, all the groups claim their standards follow GAAP.

GASB is an important standards board for Sonoma County because it establishes accounting and financial reporting standards for Federal, state and local governments. Of similar interest is the guide from the California State Controller's Office, "Accounting Standards and Procedures for Counties." Both prescribe conformity to GAAP, and Sonoma County's Fiscal Policy FA-1, "Accounting for Capital Assets" cites both GASB and GAAP.

Physical plant managers are concerned that the facilities they manage will not remain in good operating condition if their budgets aren't large enough to pay for normal maintenance and repairs; they identify the deficiency as "deferred maintenance" However, none of the accounting standards organizations recognizes deferred maintenance as a regular GAAP accounting entry. Deferred maintenance is not a revenue or expense item, and neither is it an asset or liability (although it could appropriately be classed as an asset contra item, in the same sense as accumulated depreciation). Because it does not appear in financial reports, the result could be that authoritative information is never developed; or, if developed, it may not have been seen regularly by responsible managers.

The problem of how to report deferred maintenance has been solved by FASAB in their Statement of Federal Financial Accounting Standards (SFFAS) 42 and SFFAS 6 Accounting for Property, Plant, and Equipment standards. They call for "deferred maintenance and repairs" information to be shown in a supplemental footnote within the regular financial reports. Supplemental notes are so common in financial statements that they are known as the RSI (required supplementary information) presentation. Deferred maintenance has become part of the RSI for these reports.

"Deferred Maintenance and Repairs (DM&R) reporting enables the government to be accountable to citizens for the proper administration and stewardship of its assets. Specifically, DM&R reporting assists users by providing an entity's realistic estimate of DM&R amounts and the effectiveness of asset maintenance practices the entities employ in fulfilling their missions. This Statement amends the required supplementary information (RSI) presentation." Details of the requirements are found in the standards themselves, but they critically include requirements for entities to: 1) describe their maintenance and repairs (M&R) policies and how they are applied, 2) discuss how they rank and prioritize M&R activities among other activities, 3) identify factors considered in determining acceptable condition standards.

## END NOTES

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<sup>i</sup>Data reported in the County's Comprehensive Annual Financial Report for 2017-2018. During the previous decade, the county's estimated population grew by 3.4% while per capital personal income increased by more than 20% to \$56, 538.

<sup>ii</sup>Numbers vary from one County report to another, primarily because they depend on which operating entities are being counted and frequently the scope is not well defined. For comparison, a FY2017-2018 paper titled "County Strategic Priority: Rebuilding Our Infrastructure" tallies "158 county buildings which represent a total of 2.6 million square feet."

<sup>iii</sup>A study in 2006 provided "an architectural and historical evaluation for the Los Guilicos Long



Range Plan being prepared by the County of Sonoma.” It established that the Hood House was already on the National Register and found that four additional buildings constructed by the Knights of Pythius a century ago “appear eligible for inclusion.”

<sup>iv</sup> The County relied on a system called “FAMIS” (for Financial Accounting Management Information System) for over 30 years. It had reached the end of its useful life when the decision to replace it was made in 2012. The new Enterprise Financial System (EFS), has been running since 2015. Data entries were transferred to the new system, unchanged, without further verification. Some archival transaction data has been retained and is available by special search.

<sup>v</sup> Oracle Corporation is a major computer software and information systems company, ranked high in the Fortune 500 list of the largest corporations. Sonoma County is using Oracle’s PeopleSoft and Hyperion software.

<sup>vi</sup> The **Auditor-Controller-Treasurer-Tax Collector** is one of Sonoma County’s elected officials. The department is staffed with approximately 100 employees. Their stated mission is “to promote public oversight, provide accountability, support financial decision-making and provide quality financial services.”

<sup>vii</sup> Notification issued by the implementation team during the first phase of Sonoma County’s EFS implementation.

<sup>viii</sup> Amendments to SFFAS 6, Para. 77. Recognized standards/metrics for maintaining capital assets are published by BOMA (Building Owners and Managers Association International) and IFMA (International Facility Management Association). The Federal standard cited sets methods for how estimates are to be made for accumulated deferred maintenance: (a) surveys based on field inspections, (b) mathematical predictive models (such as life cycle), and (c) a combination of surveys and models.

<sup>ix</sup> May 2018 Report on Solutions for Addressing the Growing County Government Center Administration Buildings.

# **2018-2019 SONOMA COUNTY CIVIL GRAND JURY CONTINUITY REPORT**

## **Responses to the 2017-2018 Sonoma County Civil Grand Jury Reports**

Providing Continuity by Follow-Through on Previous Investigations

### **SUMMARY**

The 2018-2019 Civil Grand Jury has reviewed the responses to the investigations and recommendations made by the 2017-2018 Civil Grand Jury. The 2017-2018 Civil Grand Jury issued three investigative reports and this summary addresses the responses by the responsible parties to those reports. Although respondents did not adopt all recommendations in those reports, their responses do comply with the requirement of the Penal Code.

### **BACKGROUND**

The Civil Grand Jury system in California exists to promote effective and efficient local government. The Civil Grand Jury is empowered by the Penal Code with broad investigative powers to provide oversight to county and city government, and special districts within Sonoma County, bringing positive change in the best interest of all residents.

These investigations result in a published report to the residents of the county. The published reports contain facts and findings that lead to recommendations for improvement. Governing bodies are required to respond to the findings and recommendations in a form and within time limits that are set out in the Penal Code.

Succeeding grand juries review those responses and determine if they meet the requirements of the Penal Code. Continuity is established from one Civil Grand Jury to the next by this review. The seated Civil Grand Jury may evaluate responses for adequacy and determine if appropriate steps have been taken to implement recommendations or if further investigative action is required.

### **METHODOLOGY**

The Civil Grand Jury reviewed the required responses and evaluated them for compliance with the governing sections of the Penal Code 933.5.

### **DISCUSSION**

According to the Penal Code, agencies and government entities are required to respond to findings in grand jury reports and the responding person or entity shall indicate one of the following:

[1] The respondent agrees with the finding.

[2] The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

According to the Penal Code, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

[1] The recommendation has been implemented, with a summary regarding the implementation action.

[2] The recommendation has not been implemented, but will be implemented in the future, with a time frame for implementation.

[3] The recommendation requires further analysis, with an explanation of the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame shall not exceed six months from the date of publication of the grand jury report.

[4] The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

The summary of the responses to the 2017-2018 Civil Grand Jury recommendations is set out in the table in Appendix A. In some cases, the respondent indicated that “Recommendation has or shall be partially implemented.”

The Civil Grand Jury concluded that these responses were all in compliance with the penal code. In addition, the 2018-2019 Civil Grand Jury has included observations on the responses.

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- California Penal Code 933.5
- Complete responses from government agencies are available on line at <http://sonoma.courts.ca.gov/>

**SEE TABLES ON THE FOLLOWING PAGES FOR SUMMARIES OF THE  
RESPONSES RECEIVED**

**ALL RESPONSES ARE IN COMPLIANCE WITH THE PENAL CODE**

**RES = Respondent BOS = Board of Supervisors CAO = County Administrative Officer**  
**OCTOBER FIRESTORM EMERGENCY RESPONSE**

RECOMMENDATIONS	RES.	RESPONSES	2018-2019 GJ OBSERVATIONS
<p><b>R1.</b>                      The Board of Supervisors (BOS) reassign the Sonoma County Emergency Operations Center to be under the management of a response entity that operates 24 hours a day, seven days a week, such as the Sheriff’s Office and that this reassignment be made by Dec. 31, 2018.</p>	<p>BOS</p>	<p>BOS responds R1 has not been implemented and may not be implemented. While the Sheriff’s Office conducts effective 24/7 operations, a major emergency or disaster will continue to require their efforts focus on life-safety missions in the field. County staff identify emergency response functions, such as Alert and Warning, to organizations that maintain a 24/7 operational capability. June 11, 2018 the BOS reviewed the EOC After-Action Report and directed staff resources to fully operationalize the EOC and make improvements in EOC facilities, systems, procedures and staff development. August 14, 2018 the County Board of Supervisors directed that the emergency management program report directly to the County Administrator.</p>	<p>The BOS’ directive is to fully operationalize the EOC and make improvements in EOC facilities, systems, procedures and staff development based on the EOC After-Action Report. This directive implies that the BOS assumes their review and staff improvements will address weaknesses identified in the grand jury report based on research and interviews. The Grand Jury report identified challenges the County EOC experienced during the critical initial period in the night of October 8 to October 9. Those challenges led to a lack of communication with/and availability to other local EOCs.</p> <p><i>See “Additional Grand Jury Comments” below</i></p>

RECOMMENDATIONS	RES.	RESPONSES	2018-2019 GJ OBSERVATIONS
<p><b>R2.</b> The County Administrative Officer (CAO) revise the County Emergency Operations Plan in collaboration with all City Managers to incorporate lessons learned from this emergency by 12/31/18.</p>	<p>CAO</p>	<p>County staff and stakeholder partners will revise the Emergency Operations Plan in FY2018-2019.</p>	<p>The CAO responds that R2 has not been implemented but will be implemented in FY2018/2019. The Grand Jury identifies this as a time critical issue and thus it should meet the target date. The Grand Jury acknowledges the CAO commitment to work closely with stakeholder partners. The grand jury report specifically recommends collaboration with City Managers when revising the County Emergency Operations Plan.</p>
<p><b>R3.</b> The BOS incorporate findings from all Emergency Operations Centers' After Action Reports into the revised County Emergency Operations Plan, by 12/31/18.</p>	<p>BOS</p>	<p>County staff and stakeholder partners will revise the Emergency Operations Plan for FY 2018-19. The update will incorporate lessons learned from the County's EOC After- Action Report.</p>	<p>The BOS responds that R3 has not been implemented but will be in the future. The BOS has not identified a target date as requested by the Grand Jury. The Grand Jury acknowledges the commitment from the BOS to direct county staff to work closely with stakeholder partners.</p>

RECOMMENDATIONS	RES.	RESPONSES	2018-2019 GJ OBSERVATIONS
<p><b>R4.</b> The BOS strongly support revisions to the State of California Fire Mutual Aid as cited by the California Fire Chiefs Association, by 12/31/18.</p>	<p>BOS</p>	<p>The County, through the California State Association of Counties (CSAC), continues to monitor and supports this item. CSAC includes mutual aid funding as a priority and supported the Fire Chiefs' efforts in committee hearings. The BOS adopted a formal resolution of support on Sept. 11, 2018.</p>	<p>The BOS responds that R4 has been implemented. The Grand Jury acknowledges BOS support for the important revisions underway.</p>

### ADDITIONAL GRAND JURY COMMENTS

The grand jury report identifies challenges the County EOC experienced during the critical initial period the night of October 8 to October 9. Those challenges led to a lack of communication with/and availability to other local EOCs.

Documents in the public domain, which date from early 2017 through December of 2018, reinforce the findings and recommendations in the 2017-2018 Grand Jury report. Documents of particular interest are:

1. Notes from the Sonoma County Operational Area Emergency Council meetings -- specifically May 10, 2017/Unfinished Business/Item C
2. Wildland Fire Assessment report prepared by the Permit Sonoma and accepted by the BOS in April 2017, indicates underlying weaknesses in emergency preparedness and the high probability of a repeat of the Hanley fire of 1964

3. Review of the September, 2018 emergency alert system pointed out the remaining weaknesses of the Wireless Emergency Alert/Integrated Public Alert & Warning System (WEA/IPAWS)
4. Public comments from the previous Project Manager of the Sonoma County Public Safety Consortium at the June 11th Special BOS meeting

The documents above underscore the fact that the responsible individuals at the executive level were informed of mid-level concerns about of the WEA/IPAWS system. The poor state of staff training and preparedness for an emergency was known to top-level leaders. These deficiencies are still problematic.

The Grand Jury determined there is a lack of acceptance of responsibility for response to the fire at the proper executive level. Instead, the Emergency Services Manager who oversaw emergency response was reassigned in March 2018.

The 2017/2018 Grand Jury report on the Firestorm describes the lack of information at the critical time the fire crossed into Santa Rosa. The warning and evacuation call from one mid-level City Fire Marshall, in the Fountaingrove area at the time, may have prevented several hundred people from perishing.

After the firestorm, a critical communication finding was poor information dissemination from the County EOC to the City EOCs. Since the County EOC is the communications nexus between State and City Emergency Management entities, this function is crucial.

With this in mind, the Grand Jury believes the EOC reorganization proposed by both the BOS and the CAO is adequate in addressing the information dissemination problem. However, the reorganization of EOC fails to assign a person or entity with 24/7 notification responsibility to initiate emergency response.

**RES = Respondent BOS = Board of Supervisors CAO = County Administrative Officer  
 Dir DHS = Director of Health Services AS Dir = Animal Services Director**

**THE EVACUATION AND SHELTERING OF ANIMALS**

RECOMMENDATIONS	RES.	RESPONSES	2018-2019 GJ OBSERVATIONS
<p><b>R1.</b>            The BOS designate Animal Services as the lead agency for Animal Emergency Planning and Response for Sonoma County, and the County Administrator assign an Animal Services representative to the Emergency Operations Center, by Dec.31, 2018.</p>	<p>BOS            CAO</p>	<p>Animal Services is designated as the lead agency for Animal Services Emergency Planning and Response for Sonoma County in the Sonoma County Emergency Operations Plan. An Animal Services representative was added to the Emergency Operations Center staffing.</p>	<p>The BOS and CAO respond R1 has been implemented. The Grand Jury acknowledges support for the important revisions underway.</p>
<p><b>R2.</b>            The DHS Director ensure that Animal Services has adequate power, safety and communication equipment available for emergency use by December 31, 2018.</p>	<p>Dir            DHS</p>	<p>The County is undertaking a comprehensive review of its emergency response capabilities, including prioritization of critical power, safety, and communications needs county-wide. Animal Services needs are incorporated into this effort, and will be prioritized within it.</p>	<p>The County is undertaking a comprehensive review of its emergency response capabilities, including prioritization of critical power, safety, and communications needs countywide. Animal Services needs are incorporated into this effort, and will be prioritized within it.</p>



RECOMMENDATIONS	RES.	RESPONSES	2018-2019 GJ OBSERVATIONS
<p><b>R3.</b> The Animal Services Director finalize both the draft <i>Animals in Disaster Response Plan, an Annex to the (County) Emergency Operations Plan and the draft Animals in Disaster Service Worker Volunteer Program by Dec.31, 2018.</i></p>	<p>Dir DHS for AS Dir</p>	<p>The <i>Animals in Disaster Response Plan Annex</i> was in draft form and ready for final review and approval just before the fires of October 2017. This plan was successfully implemented in response to the firestorm.</p>	<p>The Director of DHS responds that R3 has been implemented. The Grand Jury acknowledges that this plan was finalized in August of 2018.</p>
<p><b>R4.</b> The BOS and CAO implement an emergency response and training plan for the Fairgrounds, including annual disaster training for regular and temporary staff by Dec.31, 2018.</p>	<p>BOS CAO</p>	<p>BOS approved a resolution mandating the creation of a new Emergency Staff Development Program to prepare County staff to function in their role as Emergency Workers. The County will cooperate with the Fairgrounds to coordinate and assist with training under the terms of the Agreement. Temporary and seasonal Fairgrounds employees are not employees of the County. This limits the ability of the County a specific training plan for these staff.</p>	<p>The BOS and CAO respond R4 has not been implemented and may not be implemented in the future. The Grand Jury acknowledges that full implementation of this plan is limited because temporary and seasonal Fairground employees are not employees of the County and cannot be mandated.</p>

RECOMMENDATIONS	RES.	RESPONSES	2018-2019 GJ OBSERVATIONS
<p><b>R5.</b> The BOS and CAO enter into Memoranda of Understandings with non-governmental organizations that play a role in animal disaster emergencies by Dec.31, 2018.</p>	<p>BOS CAO</p>	<p>The County of Sonoma through Animal Services, will continue to improve coordination with its non-governmental partners. The need for Memoranda of Understanding will be evaluated on a case-by-case basis. The coordinated effort, which does not make use of Memoranda of Understanding supports the objective of a regionalized disaster response amongst both governmental and non-governmental stakeholders.</p>	<p>The BOS and CAO respond R5 has not been implemented and may not be implemented. The Grand Jury acknowledges that the Bay Area Urban Area Initiative (UASI) is using the proven Sonoma County Disaster Response Plan as a template to standardize disaster response plans with governmental and non-governmental stakeholders. Therefore this has met the intent of the Grand Jury recommendation.</p>
<p><b>R6.</b> Training standards should be enforced by ensuring that the Animal Services Director require that all field officers complete Incident Command System and fire safety courses with an emphasis on animal emergencies, and the Director of DHS ensure that all Department Operation Center members complete the mandatory Incident Command System by December 31, 2018.</p>	<p>Dir DHS for AS Dir</p>	<p>On August 14, 2018 the BOS approved a resolution mandating the creation of a new Emergency Staff Development Program to prepare County staff to function as Emergency Workers. This mandatory training will be tailored to roles staff are likely to play in an emergency.</p>	<p>The Director of DHS responds R6 has not been implemented but will be implemented in the future. The Grand Jury commends that 72% of staff have completed required online courses as of August 20, 2018. The Grand Jury encourages all staff meet the target date.</p>

RECOMMENDATIONS	RES.	RESPONSES	2018-2019 GJ OBSERVATIONS
<p><b>R7.</b> The BOS and CAO analyze the current placement of Animal Services under the Department of Health Services (DHS), and determine if Animal Services should be reassigned to an agency that operates 24 hours per day by Dec.31, 2018.</p>	<p>BOS CAO</p>	<p>The CAO will conduct a management review of Animal Services, to evaluate the need for an assignment within an agency that operates 24 hours a day.</p>	<p>The BOS and CAO respond R7 has not been implemented but will be implemented in the future. The Grand Jury encourages the CAO conduct a management review and analyze the need to reassign Animal Services to an agency that operates 24 hours per day by the recommended target.</p>

**RES = Respondent Dir PS = Director Permit Sonoma**  
**OVERALL PROGRESS AT PERMIT SONOMA**

RECOMMENDATIONS	RES.	RESPONSES	2018-2019 GJ OBSERVATIONS
<p><b>R1.</b>            Permit Sonoma continues to build on the successful changes noted in the report.</p>	<p>Dir PS</p>	<p>Staff are now engaged in weekly process improvements to the on-line permitting system. They are committed to a more user friendly organization of information. They emphasize the need to increase client satisfaction and improve practices as professionals. The County established the Permit Resiliency Center (PRC) to provide one-stop accelerated permitting. Permit Sonoma focuses on environmental protection, sustainable development and will grow the Fire Prevention Division.</p>	<p>The Grand Jury acknowledges support for the revisions underway.</p>
<p><b>R2.</b>            Permit Sonoma and the RSC continue to collaborate for the benefit of Sonoma County residents and fire survivors. They apply the lessons learned from this emergency for future individuals or large emergencies.</p>	<p>Dir DHS</p>	<p>The County established the PRC to provide one-stop accelerated permitting. Permit Sonoma focuses on environmental protection, sustainable development and will grow the Fire Prevention Division</p>	<p>The Grand Jury acknowledges support for the revisions underway.</p>



## **THE SONOMA COUNTY CIVIL GRAND JURY**

P.O. Box 5109  
Santa Rosa, CA 95402  
(707) 565-6330

<http://www.sonoma.courts.ca.gov>

## **CITIZEN COMPLAINT FORM - CONFIDENTIAL**

The Sonoma County Civil Grand Jury is an investigative body which deals with complaints falling within its jurisdiction. The Grand Jury may examine all aspects of County and City government, public schools, and special districts.

### **PERSON FILING COMPLAINT**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Email Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Date: \_\_\_\_\_

### **DESCRIBE YOUR COMPLAINT**

Identify the person(s) and/or the County or City government, school, agency or special district that is the subject of this complaint. The complaint should clearly state specific and verifiable facts. (Include all names, dates, places, etc.)

**Note: All information will be held in the strictest confidence.**

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What other agencies, officials or persons have you contacted about this matter? What was (has

been) their response to you? (Give names, addresses, phone numbers, contacts, dates)

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Is the subject matter of your complaint currently involved in litigation?

No. \_\_\_\_\_ Yes \_\_\_\_\_ Do not know \_\_\_\_\_

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What action are you expecting from the Sonoma County Civil Grand Jury?

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**It is a crime to knowingly make a false report to the Grand Jury that a felony or misdemeanor has been committed. (CA Penal Code No. 148.5(d))**

Attach copies of all pertinent documents and correspondence. Use additional sheets if necessary.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

***Please Note: Signed submissions are more likely to be considered.***

**Mail this completed form to:  
THE SONOMA COUNTY CIVIL GRAND JURY  
P.O. Box 5109  
Santa Rosa, CA 95402**

## The 2018 – 2019 Sonoma County Civil Grand Jury



*Back Row L to R:* Kate Carpenter, King Strong, Anton Jimenez, David Pigott, Ann Schneider, Gene Wright, William Marcussen, Herb Newburger, Tamara MacLean, Gale Corson

*Middle Row L to R:* Carol Parisek, Marguerite Finn, Pamela Graber

*Front Row L to R:* Kathy Myers, Christina Barasch, Dee Schweitzer (Foreperson), The Honorable Gary Nadler (Presiding Judge), Arlene Junior (CEO), Jerri Schofield, Ron Chestnut (Not pictured: Larell Fineren)

## You CAN Make A Difference

To make democracy work, we are most effective as a nation of participants involved in civic engagement and participatory governance. After reading this report, you may wonder:

*What can I do to be involved in local government procedures and policies?*

*How can I respond to these reports?*

These are some ways Sonoma County residents can participate ~

Attend public meetings of:

- Sonoma County Board of Supervisors
- City Councils
- School Boards
- Police Department Citizen Academy/ IOLERO
- Sonoma County Behavioral Health Mental Health Board

Apply to serve on their governing boards and councils.

Apply to serve on the Sonoma County Civil Grand Jury.

# Sonoma County Civil Grand Jury

The Sonoma County Civil Grand Jury is an investigative body which oversees the workings of County and City government, which can include review of public schools, detention facilities and special districts. The Civil Grand Jury's mission is to exercise oversight of these entities to ensure that they are working to serve the best interests of its citizens. Citizens who feel that they have been unfairly treated by any county government organization have the right to file a complaint with the Civil Grand Jury.

## How to File a Complaint with the Civil Grand Jury

Please note: All complaints and communications with the Civil Grand Jury are confidential, as are their deliberations.

Complaint forms are online at [www.sonomagrandjury.org](http://www.sonomagrandjury.org). Complaints may be submitted to the Grand Jury by phone, email or mail:

**707-565-6330**

**P.O. Box 5109, Santa Rosa, CA 95402**

**[gjury@sonoma-county.org](mailto:gjury@sonoma-county.org)**



Copies of this report are available at any county library  
The reports contained within this consolidated report are also available  
on line at

[www.sonomagrandjury.org](http://www.sonomagrandjury.org)