



APPROVED

September 12, 2023

COUNTY OF SONOMA

SUMMARY REPORT

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403
THE WITHIN INSTRUMENT IS A
CORRECT COPY OF THE ORIGINAL ON
FILE IN THIS OFFICE

ATTEST: September 12, 2023

M. CHRISTINA RIVERA, Clerk/Secretary

BY *Noelle Francis*

Agenda Date: 9/12/2023

#11

To: Board of Supervisors
Department or Agency Name(s): County Administrator's Office
Staff Name and Phone Number: Kay Lowtrip, 707-565-2431
Vote Requirement: Majority
Supervisory District(s): Countywide

	Aye	No
Gorin	X	
Rabbitt	X	
Gore	X	
Hopkins	X	
Coursey	X	

Title:

Response to the 2022-23 Civil Grand Jury Report

Recommended Action:

Approve the Board of Supervisors response to the 2022-23 Civil Grand Jury Report recommendations, and direct staff to formally transmit Sonoma County's complete set of responses to the 2022-23 Civil Grand Jury Report findings and recommendations.

Executive Summary:

Each year the Civil Grand Jury completes a Final Report on its investigations of potential issues in local government agencies. The 2022-23 Grand Jury Final Report was presented to the Presiding Judge of the Superior Court on June 18, 2023. The Final Report included various findings and recommendations that require response from the Board of Supervisors within 90 days, or no later than September 16, 2023. Once approved, the full set of responses to the 2022-23 Civil Grand Jury Report will be transmitted to the Presiding Judge of the Superior Court.

Discussion:

Under California Law, Civil Grand Jury's exercise oversight of local government agencies, including counties, cities, and special districts. They do so by investigating issues that are either brought to their attention through citizen complaints or are selected by the Grand Jury members and issuing reports on their findings and recommendations.

The 2022-23 Grand Jury Final Report was presented to the Presiding Judge of the Superior Court on June 18, 2023. The Final Report included various findings and recommendations that require response from the Board of Supervisors within 90 days, or no later than September 16, 2023. Once approved, the full set of responses to the 2022-23 Civil Grand Jury Report will be transmitted to the Presiding Judge of the Superior Court.

The Grand Jury has requested responses from the County of Sonoma to the following reports:

Report: Warming Centers

Required County Responses:

- Sonoma County Board of Supervisors
- Department of Public Infrastructure
- Department of Health Services

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- Department of Emergency Management

Department responses are submitted directly to Honorable Judge Averill by and courtesy, copies will be provided to Supervisorial Districts. These responses, which come from the departments and do not require Board approval, were due within 60 days of the full consolidated report being published. The department responses are attached.

Proposed Board Response Summary

FINDINGS

- We agree with F9.

At the time of the complaint and through the winter of 2022-2023, the County did not have a plan or strategy to overcome shelter resistance which resulted in many unhoused people remaining exposed to the elements during weather emergencies.

The decision to access shelter services is a personal choice.

- We wholly or partially disagree with all other findings, which generally represent that the County failed to respond during the winters of 2021-2022 and 2022-2023.

The County have and will continue to employ efforts to protect the unhoused during cold weather emergencies. This is achieved with messaging, in coordination and in partnership with appropriate stakeholder groups. The recent Extreme Temperature Response Annex, besides including a plan to complete pre-planning efforts, is a codification of efforts and practices implemented throughout various winter events.

RECOMMENDATIONS

- Recommendations R1, R2, R3, R4, R5, R6 have been implemented through the 6/12/2023 Extreme Temperature Response Annex.
- Recommendations R7 and R8 require further analysis:

R7. By September 30, 2023, the Board of Supervisors will direct the responsible department (as defined in the policy recommended in R1) to identify County facilities, including unused or underutilized facilities, that will be available to be used as warming centers for unhoused people in extreme cold weather.

This recommendation requires further analysis. The new County Government Center, and establishment of satellite service delivery sites is underway. The timeline may or may not include consolidation or disposal of county owned facilities, but this is not yet known.

R8. By September 30, 2023, the Board of Supervisors, in accordance with its adopted policy, will provide

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sufficient funding to support opening and maintaining warming centers during episodes of extreme cold weather emergencies.

This recommendation requires further analysis. The Extreme Temperature Response Annex includes exploring partnership with other local jurisdictions, and community-based organizations, which may or may not require additional funding. Further, most declared disasters are mainly funded by state and/or federal agencies.

- R5 will not be implemented.

R5. Beginning April 1, 2024, and every year thereafter on or about April 1, the Board of Supervisors will direct the County Administrative Officer (CAO) to present an after-action report to the Board regarding the effectiveness of County staff in supporting warming centers during episodes of severe cold over the previous winter.

The Emergency Services department disaster protocols already include an after-action report which are completed when the activities of supporting the event ends.

Once approved, the full set of responses to the 2022-23 Grand Jury Report will be transmitted to the Presiding Judge of the Superior Court.

The full reports are available online at

<https://sonoma.courts.ca.gov/general-information/grand-jury/grand-jury-reports-responses>

Strategic Plan:

N/A

Prior Board Actions:

The Board responds annually to the Civil Grand Jury Report.

FISCAL SUMMARY

Narrative Explanation of Fiscal Impacts:

None

Narrative Explanation of Staffing Impacts (If Required):

None

Attachments:

1. 22-23 GJ Response-Sonoma County Board of Supervisors
2. 22-23 GJ Response - Department of Public Infrastructure
3. 22-23 GJ Response - Department of Health Services
4. 22-23 GJ Response - Department of Emergency Management

Related Items "On File" with the Clerk of the Board:

None

Response to Grand Jury Report Form

Report Title: Warming Centers
Report Date: June 18, 2023
Response by: Chris Coursey Title: Supervisor - Chairperson
Agency/Department Name: Sonoma County Board of Supervisors

FINDINGS:

I (we) agree with the findings numbered: F9

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

F1, F2, F3, F4, F5, F6, F7, F8, F10, F11, F12, F13

(Attach a statement specifying any portions of the findings that are disputed with an explanation of the reasons.)

RECOMMENDATIONS:

Recommendations numbered: R1, R2, R3, R4, R6,
have been implemented.

(Attach a summary describing the implemented actions.)

- Recommendations numbered: R5 have not yet been implemented but will be implemented in the future.
(Attach a timeframe for the implementation.)
- Recommendations numbered: R7, R8 require(s) further analysis.
(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. ***This timeframe shall not exceed six months from the date of publication of the Grand Jury report.***)
- Recommendations numbered: _____ will not be implemented because they are not warranted or are not reasonable.
(Attach an explanation.)

Date: _____ Signed: _____

Number of pages attached: _____

(See attached PC Civil Grand Jury Response Requirements)

R1. By September 30, 2023, the Board of Supervisors will develop and implement formal policies and procedures for protecting unhoused people in the County of Sonoma during cold weather emergencies. (F1 through F13)

This has been implemented.

On June 12th, 2023, the Extreme Temperature Response Annex was adopted by the Board, it can be found at <https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=6252506&GUID=49F6C369-8681-4235-9ABE-FA2A4A8FF0BD&Options=Text|&Search=extreme+weather>.

This formalized the formal policies and procedures for protecting unhoused people in the County of Sonoma in cold weather emergencies. The three phases are based on the risk and impact to vulnerable populations and the general population. The three phases are: Readiness, Cold/Heat Alert, and Cold/Freeze/Heat Warning. This Extreme Temperature annex uses a three-phase approach to extreme-temperature incidents. Pre-determined actions and responses have been established for each phase to ensure an effective and timely response.

R2. By September 30, 2023, the Board of Supervisors defines the parameters to be used to declare a cold weather emergency in the County, including assignment of responsibilities for declaring and communicating a cold weather emergency to the responsible departments. (F3, F11, F12)

This has been implemented.

The Board of Supervisors defined this on June 12, 2023, with the adoption of the Extreme Temperature Annex.

This included a phased response:

- Phase 1 Readiness
- Phase 2 Alert:
- Phase 3 Warning

Phase I readiness actions are taken when the National Weather Service issues a partner email or delivers an operational area briefing that indicates an extreme temperature incident is possible (or that temperatures may meet implementation criteria in the next 7 days).

Phase II is activated when the Department of Health Services (DHS) and the Department of Emergency Management (DEM) determine that an extreme temperature incident is likely to occur within 3 days, based on an assessment of extreme temperature indicators or notification of a potential incident.

Phase III is activated when DHS and DEM determine that an extreme temperature incident is likely to occur within 24 hours or is occurring, based on an assessment of extreme temperature indicators.

R3. By September 30, 2023, the Board of Supervisors designates the County employee (as defined by the policy recommended in R1) who has the authority to declare a cold weather emergency that would initiate the opening of warming centers. (F1, F5, F11)

This has been implemented.

There is an internal County Temperature Coordination Call with the Department of Health Services, Emergency Management Services, Ending Homelessness, County Communications, Human Services Department - In Home Support Services, and Public Infrastructure, where between DHS- Public Health Officer and DEM a decision is made based upon the outline guidelines for activation.

R4. In order for the Board of Supervisors to make informed decisions regarding the need for warming centers, by September 30, 2023, the Board will direct staff (as defined by the policy recommended in R1) to collect data, including but not limited to: the number of individuals accessing warming centers throughout the county; the cost per day of operating warming centers throughout the county; the number of individuals denied access to warming centers because of a lack of capacity; the number of unhoused individuals who died from exposure to severe cold. (F3, F4, F8)

This has been implemented.

The Extreme Temperature annex includes data collection that has already begun to be compiled and will assist the County in future decision and policy making in extreme weather conditions.

R5. Beginning April 1, 2024, and every year thereafter on or about April 1, the Board of Supervisors will direct the County Administrative Officer (CAO) to present an after-action report to the Board regarding the effectiveness of County staff in supporting warming centers during episodes of severe cold over the previous winter. Using data identified in R4, collected over the past winter, the CAO will identify both successful efforts to support warming centers and areas that need improvement. (F3, F4, F8)

This will not be implemented. The Emergency Services department disaster protocols already include an after-action report which are completed when the activities of supporting the event ends.

R6. By December 31, 2023, the Board of Supervisors will direct staff to identify facilities within the unincorporated areas of the County that can be used as warming centers, and sign MOUs with the management of such facilities as necessary. (F4, F6)

This is in the process of implementation.

R7. By September 30, 2023, the Board of Supervisors will direct the responsible department (as defined in the policy recommended in R1) to identify County facilities, including unused or underutilized facilities, that will be available to be used as warming centers for unhoused people in extreme cold weather. (F6)

This recommendation requires further analysis. The new County Government Center and establishment of satellite service delivery sites is underway and timeline that may or may not include consolidation or disposal of county owned facilities is not yet known.

R8. By September 30, 2023, the Board of Supervisors, in accordance with its adopted policy, will provide sufficient funding to support opening and maintaining warming centers during episodes of extreme cold weather emergencies. (F6, F8)

This recommendation requires further analysis. The Extreme Temperature Response Annex includes exploring partnership with other local jurisdictions and community-based organization which may or may not require additional funding. Further, most declared disasters are mainly funded by state and/or federal agencies.

FINDINGS:

F1. The County failed in its critical role in protecting the health and safety of all unhoused people during severe cold weather emergencies during the winters of 2021-2022 and 2022-2023

We disagree with this finding. We do not agree that the County failed in its role in protecting the health and safety of unhoused people during the cold weather emergency of the time periods described. The County convened all the appropriate stakeholders during those events such as the cities, county departments, service providers, homeless providers, first responders, State personnel, schools, PG&E, the National Weather Service, and others to ensure we are informed of weather events and addressing any gaps, particularly in the unhoused population.

The County opened a warming center during the events at the Veteran's Hall Building. The County coordinated appropriate messaging to homeless service providers regarding the weather events and coordinated with homeless providers regarding the location of open warming centers. County teams updated a QR-code based English-Spanish flier that links folks to updated information during the 2022-2023 event. The County team developed COVID-19 mitigation strategies and disseminated them to stakeholders during these events to protect the health and safety of our unhoused population we also provided hotel rooms and warm resources such as blankets for those unwilling to come in out of the elements.

F2. Inadequate coordination between the various involved County agencies led to an inefficient and less effective response to cold weather emergencies that negatively affected the health and safety of unhoused people.

We disagree with this finding. The County coordinated with the relevant County agencies, as well as outside stakeholders.

F3. At the time of this complaint (April 2022) and through the time of this report, the County failed to create formal policies and procedures to protect unhoused people during cold weather emergencies.

We disagree with this finding. The County had existing policies and procedures in place to protect unhoused people during cold weather emergencies that were implemented in this event.

F4. Failure by the County, including the Board of Supervisors to plan and prepare in advance for warming centers during extreme weather emergencies, results in inefficient lastminute responses, leaving unhoused individuals exposed to severe cold.

We partially disagree with this finding. On June 12, 2023, the Board of Supervisors adopted the Extreme Temperature Response Annex to the Emergency Operations Plan. The Plan outlines the policies, procedures, and area partners' roles in response to an extreme temperature incident and provides criterion for implementing this annex to unincorporated Sonoma County. It also positions the County as the Operational Area to prioritize the support of pre-established facilities and the expansion of their warming or cooling services and if necessary, establish additional facilities.

F5. A lack of clear definition and understanding of the responsibilities of various County departments regarding the cold weather protection of unhoused people increases their health risks.

We disagree with this finding in part as there has been clear understanding of the responsibilities of County departments, but this has not been spelled out in writing until the recent approval of the Department of Emergency Management's Operations Annex. County departments have coordinated and worked in collaboration during these events with cities and homeless service providers to mitigate health risks to the unhoused population. We think it is important to point out that our unhoused population are often resistant to coming into congregate warming centers, even though this solution is temporarily often the appropriate set up during these events.

F6. A lack of identification of, and agreements with, warming facilities in advance of cold weather emergencies leads to a deficit of easily accessible spaces when those emergencies occur.

We partially disagree with this finding. On June 12, 2023, the Board of Supervisors adopted the Extreme Temperature Response Annex to the Emergency Operations Plan. The Plan positions the County as the Operational Area to prioritize the support of pre-established facilities and the expansion of their warming or cooling services and if necessary, establish additional facilities. Locations will be established through pre-authorized memorandums of understanding and used as contingency locations when there are gaps in service across the Operational Area.

Furthermore, since 2010 the winter shelter in west-county has been operating from the Guerneville Veterans Memorial Building. The winter shelter program provides emergency food and shelter during the wettest and coldest months and is open seven days a week from 5:00 pm to 7:00 am and provides services including: meals, bedding, shower facilities, and limited supplies for daily needs. The County contracts with West County Community Services to provide winter shelter operation services.

F7. Poor and inconsistent communication with unhoused people results in individuals needlessly remaining unsheltered during cold weather emergencies.

We partially disagree with this finding. Consistent communication is always ideal, but the reason that people remain unhoused during cold weather emergencies is not solely, or even primarily, because of "poor and inconsistent communication." People often do not want to leave belongings, a pet, companions, a set-up tent or lean-to, just to lose track of those when the event is over. It

also can be more difficult (i.e., more exposure to cold, wet weather, or unsafe travel) during the event itself to physically move from an encampment location to a shelter, and then back again when the emergency ends. Sometimes the best pathway is what providers like West County Community Services do – give unhoused individuals warm food, blankets, coats, and clothing where they are located versus communicating places where they can go with significant difficulty. As we have noted to the Grand Jury, the real solution to protecting the unhoused in cold weather emergencies is to build more housing.

F8. Providing temporary shelter for unhoused people during weather emergencies does not receive the priority from the County to enable appropriate funding for staff, supplies, transportation, and other expenditures to meet this critical need.

We disagree with this finding. The County spends approximately \$70M annually in funding (an underestimate at best) for housing, services, and support for our unhoused population. The Board provided over \$850K in emergency funding for those in encampments throughout the county, providing critical urgent relief to many experiencing weather events, crisis, etc...

F10. By not protecting unhoused people during cold weather emergencies, the County has failed to adhere to its own Department of Health Services' mission statement to "promote, protect, and ensure access to services to support the health, recovery, and well-being of all in Sonoma County."

We disagree with this finding as the County has not failed to adhere to its mission statement by not protecting unhoused people during cold weather emergencies. The County does employ efforts to protect the unhoused during cold weather emergencies with messaging, in coordination and partnership with appropriate stakeholder groups, opening a county-run warming center, disseminating warming center locations broadly, distributing supplies, providing hotel rooms as funding allows, developing, implementing, and ensuring mitigating measures at city, homeless provider, and county warming centers are in compliance for the health and safety of the unhoused.

F11. At the time of the complaint and through the winter of 2022-2023 the County failed to assign responsibility to an agency or individual to declare that a cold weather emergency existed.

We disagree with this finding. The Department of Emergency Management (DEM) takes the lead regarding this responsibility. The Department of Emergency Management works closely with the National Weather Service who declares the weather event and DEM will send out a declaration should weather conditions meet the appropriate criteria. DEM will work closely with the County Health Officer who may also send out a separate declaration. DEM works closely with all county stakeholders to provide updates on weather conditions as they are received from the National Weather Service. During severe events, daily convenings are hosted by DEM where a National Weather Service representative is always present to provide real-time updates so decisions can be discussed and implemented as necessary.

F12. At the time of the complaint and through the winter of 2022-2023, the County failed to consistently determine when the temperature and other weather conditions constituted a cold weather emergency. Warming Centers 10 F13. The County failed to consistently collect and utilize

data such as costs, staffing, facilities, and the number of unhoused individuals who took advantage of the limited number of warming centers in the County, which hinders the ability to plan for future cold weather emergencies.

We disagree with this finding. The Department of Emergency Management works closely with the National Weather Service to determine when the temperature or other weather conditions constitute a cold weather emergency. These events must meet established criteria. Once these weather events meet criteria the appropriate weather emergency is declared. DEM works closely with all county stakeholders to provide updates on weather conditions as they are received from the National Weather Service. During severe events, daily convenings are hosted by DEM where a National Weather Service representative is always present to provide real-time updates so decisions can be discussed and implemented as appropriate and necessary. The County is also consistently collecting and utilizing data to plan for future cold weather emergencies.

F13. The County failed to consistently collect and utilize data such as costs, staffing, facilities, and the number of unhoused individuals who took advantage of the limited number of warming centers in the County, which hinders the ability to plan for future cold weather emergencies.

We partially disagree with this finding. Perfect data collection is always ideal. But during weather emergencies, we're not able to insist on rigorous data collection from volunteers, faith groups, and under-staffed service providers. As to planning for future cold weather emergencies, we believe that we have a good sense of what is needed: We need a scaled capacity in each section of the county (North, Sonoma Valley, Mid-County, West, and Petaluma) that is based in part on available facilities & staffing, in part on the unsheltered point in time count, and in part on that region's past pattern and practice (i.e. the interest by the unhoused to go to warming centers isn't consistent – Russian River clients will have different approaches than Santa Rosans). Looking at this too cynically, the push for more and better warming centers can be an excuse by some to avoid addressing the region's need for more housing. We need to turn "at least my neighbor isn't dying in the cold" into "how can I support more housing for all income levels so no one's outside."