

**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.

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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.

BIBLIOGRAPHY

- 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 REPOSSES RECEIVED

ALL RESPONSES ARE IN COMPLIANCE WITH THE PENAL CODE

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RES = Respondent BOS = Board of Supervisors CAO = County Administrative Officer

OCTOBER FIRESTORM EMERGENCY RESPONSE

RECOMMENDATIONS	RES.	RESPONSES	2018-2019 GJ OBSERVATIONS
<p>R1. 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>

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RECOMMENDATIONS	RES.	RESPONSES	2018-2019 GJ OBSERVATIONS
<p>R2. 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>R3. 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>

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RECOMMENDATIONS	RES	RESPONSES	2018-2019 GJ OBSERVATIONS
<p>R4. 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

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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.

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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>R1 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>R2 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 countywide. 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>

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RECOMMENDATIONS	RES	RESPONSES	2018-2019 GJ OBSERVATIONS
<p>R3 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</i> by Dec.31, 2018.</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>R4 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>

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RECOMMENDATIONS	RES	RESPONSES	2018-2019 GJ OBSERVATIONS
<p>R5 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>R6 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>

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RECOMMENDATIONS	RES	RESPONSES	2018-2019 GJ OBSERVATIONS
<p>R7 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>

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OVERALL PROGRESS AT PERMIT SONOMA

RECOMMENDATIONS	RES	RESPONSES	2018-2019 GJ OBSERVATIONS
<p>R1 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>R2 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 PS</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>