

Sonoma County Civil Grand Jury



2019-2020 Final Report



The 2019-2020 Sonoma County Civil Grand Jury



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Second Row: Jerri Schofield, Corresponding Secretary; Alden Adkins; Robert Freelen; Debbie Wallman;

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August 2, 2020

To the Citizens of Sonoma County and the Honorable Judge Bradford DeMeo:

On behalf of the 2019-2020 Sonoma County Civil Grand Jury and in accordance with California Penal Code Section 933, it is my privilege to present our Final Consolidated 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.

I would like to express my appreciation to the County agencies, and especially the County Administrator's Office, that support the efforts of the Grand Jury. I acknowledge and thank the citizens who introduced matters to our attention and local government employees who gave testimony. Their time and energy spent with 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 Juvenile Detention Facility, but, sadly, missed the Main Adult Detention Facility due to the COVID-19 restrictions.

In addition, the Grand Jury investigated the Coroner's Office, the Springs Specific Plan, two aspects of water issues in the Sonoma Valley, and two aspects of Homelessness. The responses to recommendations to last year's reports were also reviewed.

It has been an honor to serve as Foreperson to this dedicated Grand Jury. We are a volunteer group of County residents from diverse backgrounds, levels of education, and expertise. I am sincerely grateful to my fellow jurors for their dedication to the Grand Jury mission.

Dr. Ronald Chestnut, Foreperson

BRADFORD J. DeMEO
JUDGE

Superior Court State of California

COUNTY OF SONOMA
HALL OF JUSTICE
600 ADMINISTRATION DRIVE
SANTA ROSA, CALIFORNIA 95403



July 8, 2020

Dear Members of the Sonoma County Civil Grand Jury:

Having reviewed the grand jury final report for the fiscal year 2019-2020, 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.

You have endured one of the most crippling hardships in the history of Sonoma County and produced an exceptional work product. COVID-19 has restricted our lives so deeply that our economy, our government, and individuals have very few options to work and finish projects. But, the Sonoma County Civil Grand Jury has found a way to work and communicate through remote technology to finish all of its projects on time with very high quality. This is a remarkable feat. Each member of the Sonoma County Civil Grand Jury should be very proud of fulfilling their obligations and duties as civil grand jurors. It is simply amazing and I'm very proud and honored to be the presiding judge to approve your work for publication.

On behalf of the Superior Court of Sonoma County, I thank you for all that you've done. I especially would like to thank your foreperson, Ronald Chestnut, for his leadership and dedication to the work of the grand jury.

Once again, congratulations to the Sonoma County Civil Grand Jury. Sonoma County owes you much gratitude.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bradford J. DeMEO".

Bradford J. DeMEO, Presiding Judge
Superior Court of California,
County of Sonoma

BD/ml

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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.

Introduction

The 2019-2020 Civil Grand Jury Final Report is the result of long hours of training, meetings, research, interviews, report writing, and editing by 19 Sonoma County volunteers. These individuals applied to become Civil Grand Jurors, interviewed with the Superior Court, and were selected at random from the pool of applicants.

Each year's Grand Jury has a unique mix of talent, expertise, and experience. Jurors had backgrounds in education, accounting, business consulting, science, engineering, management, police work, social sciences, and more. They worked tightly with each other, demonstrating good will, cohesiveness, mutual respect, volunteerism, and an ease of communication. As the COVID-19 pandemic arose, we adapted readily to meeting by Zoom, although that process slowed us down a bit. The Grand Jury Officers and Committee Chairpersons provided excellent leadership.

The major concern for the Grand Jury was selecting topics which would be meaningful and important to Sonoma County residents. Complaints were carefully examined, and the Penal Codes concerning the Grand Jury activities and jurisdiction were honored. The Grand Jury believes the seven reports which comprise this consolidated report are timely, important, and compelling. These reports are as follows:

Springs Specific Plan uncovers planning issues which bypassed an important constituency. This complaint-driven investigation was an eye-opener for us.

Sonoma County Sheriff-Coroner's Office revisits a topic from 2013 on the state of and plans for the Coroner's Office. All the previous deficiencies have been remedied.

Homeless Youth takes an in-depth look at the state of affairs of programs and assistance to this very vulnerable (and large) community.

Sonoma County Has a Homeless Crisis examines the evolution of policies, procedures, and resources for responding to this crisis.

Emergency Water for the Sonoma Valley focuses on a critical problem examined last year from a wider perspective. Responses to last year's water report triggered this focus.

Sonoma Valley Regional Water Resources looks at the ongoing changes in water management. The closure of the Sonoma Developmental Center uncovered some important issues.

The Continuity Report follows the previous term's Grand Jury recommendations. Were the recommendations implemented and did they follow the Penal Code requirements? Both of the above-noted water reports stem from mixed responses to last year's *Will There Be Water After an Earthquake?* report.

Springs Specific Plan

A Public Disclosure Misfire

SUMMARY

Sonoma County has undertaken a Springs Specific Plan (SSP, or the Plan) to guide future development along the Sonoma County Highway 12 corridor. The planning process, begun in 2012 by elected officials as well as county and state agencies, has solicited public involvement through multiple public meetings.

In April 2019, the Sonoma County Civil Grand Jury (Grand Jury) received a citizen complaint outlining how the Donald Street neighborhood, comprising 35% of the total SSP area, was insufficiently notified of the existence of the Plan. In addition, the complaint described the considerable impact of the Plan upon the residents, from traffic and parking concerns to fire safety.

The Grand Jury analyzed the SSP along with the complaint and decided to conduct a limited investigation. Our investigation aims to answer one question: Did Sonoma County follow the Metropolitan Transportation Commission (MTC) guidelines for Specific Plans relating to public disclosure and soliciting input from affected individuals? We did not investigate nor offer any findings relating to the content of the Plan itself.

The Grand Jury concludes that the County failed to follow MTC guidelines for the SSP and that the Donald Street neighborhood residents were in the dark for four years while the County and the rest of the Springs' residents engaged in community workshops and meetings. We found that the County's public disclosures from 2012 to early 2017 were insufficient to alert a civically engaged citizen that their neighborhood could be affected in a significant manner.

The Grand Jury recommends that the County take action to rectify the lack of notice by:

- Offering an official apology
- Engaging with the Donald Street residents regarding their concerns
- Attempting to accommodate those concerns
- Considering the severance of the Donald Street region from the SSP

BACKGROUND

A complaint was received by the Grand Jury related to the Springs Specific Plan (SSP) on April 20, 2019. After review, the 2019-2020 Grand Jury decided to investigate the complaint. Our focus was to look at the Sonoma County process for obtaining public participation in civic projects. In particular, we looked at whether the process followed in the case of the SSP excluded the participation of Donald Street residents. The criterion of the Grand Jury in making this finding is whether a civically engaged person living in the affected Donald Street neighborhood could or should have been alerted earlier to the existence of the SSP and its effect on them.

METHODOLOGY

From August 2019 through December 2019, the Sonoma County Civil Grand Jury interviewed:

- Citizen Complainant
- Representatives of Permit Sonoma, City of Sonoma, and the Sonoma County Board of Supervisors

The Grand Jury reviewed a wide range of sources:

- Written material describing the Springs Specific Plan
- Local news articles
- Permit Sonoma press releases
- Association of Bay Area Governments (ABAG) approval letter for the SSP
- Permit Sonoma Grant proposal
- Donald Street presentation to the County Planning Commission



Donald Street vacant 2-acre lot

DISCUSSION

Zoning Process Description

The Zoning Code is the primary tool for implementing the General Plan for the greater County and regulating land use and development. The General Plan dictates overarching policy on how and where the community will accommodate physical growth and change. The Zoning Code applies these policies on a parcel-specific scale, regulating land uses, site planning and design. The Zoning Code also specifies the type of permits required for various projects and the responsible review authority. Either the government or an individual landowner may initiate a change in zoning.

One way to change zoning for a widespread region that needs special attention and integrated planning is to undertake a Specific Plan. This planning process includes land use, design, infrastructure and financing. Once a Specific Plan is completed and approved, it becomes part of a revised General Plan. By law, the planning process requires citizen involvement. Permit Sonoma administers Specific Plans and coordinates citizen participation. The SSP is such a Specific Plan.

The Metropolitan Transportation Commission (MTC) awarded Permit Sonoma \$450,000 through the Association of Bay Area Governments (ABAG) to conduct initial planning and execute the SSP. Permit Sonoma solicited and recruited area citizens for the Community Advisory Team (CAT) to assist in the planning process. The SSP requires an Environmental Impact Report (EIR). The final Plan with the EIR will be submitted to the Board of Supervisors, which holds formal public hearings prior to its final approval or rejection of a Specific Plan. Permit Sonoma intends to bring the Plan and EIR to the Board in Spring 2020 for consideration.

The Springs Specific Plan

The SSP was initiated when the Sonoma County Board of Supervisors passed a resolution supporting the submission of applications to ABAG on January 12, 2012. The MTC and ABAG approved the SSP in July 2012. The SSP was identified as an MTC “Community of Concern” – an area with special transportation needs associated with low-income or otherwise disadvantaged communities. The original 2012 application to ABAG states that the intention of the SSP is to foster a vibrant, attractive, multimodal community in the Sonoma Valley Springs area along the Highway 12 corridor. The SSP provides for rezoning land parcels towards higher-density housing.

The SSP establishes requirements for future development, infrastructure improvements, and other projects to be consistent with MTC policies and design. One MTC policy that is particularly relevant for this investigation is MTC Resolution No. 4035, dated May 17, 2012, which established Bay Area performance objectives that included a policy applicable to all projects. The policy states:

*“1. **Public Involvement.** MTC is committed to a public involvement process that is proactive and provides comprehensive information, timely public notice, full public access to key decisions, and opportunities for continuing involvement.”*

The SSP, as a Specific Plan, is under the aegis of this MTC policy, which requires Permit Sonoma to obtain public involvement in the planning process. From the Grand Jury investigation, it appears that Permit Sonoma did conduct outreach that adequately notified the residents in 65% of the Plan area. However, the Grand Jury did not find evidence to confirm that similar outreach, to give “*comprehensive information, timely public notice, full public access to key decisions, and opportunities for continuing involvement*” ever reached the residents in 35% of the area – those who live in the Donald Street area.

Donald Street Impact

A citizen complaint filed in April of 2019 led the Grand Jury to review the SSP and the opportunities for public participation. The complaint posits that the County appears not to have followed all of its public participation procedures in the development of the SSP. The complaint further suggests that the County added, three years after the plan approval by ABAG, an appendage that includes a two-acre vacant lot on Donald Street to the SSP. This addition was made without public involvement. Some 187 residents have joined the complainant in signing a petition to the Board of Supervisors. This petition requests a restart of the SSP process, in order to ensure the full inclusion of the Donald Street residents in all community discussions and committees.

The Donald Street neighborhood is one block north of the Sonoma city limits and currently has 114 housing units. Donald Street is outside the City of Sonoma Urban Growth Boundary, which means that Donald Street is part of Permit Sonoma’s planning authority. Permit Sonoma views a vacant two-acre lot in the area as part of a valuable affordable housing development resource, providing a key piece towards reaching the high-density goal of 633 housing units. This two-acre parcel faces Donald Street. An additional lot, across the street from that parcel, may also be available for development.

It was not until a press release dated February 24, 2017 that the Donald Street neighborhood was identified as an area impacted by the SSP. On this date, the Permit Sonoma press release stated: “*The area affected by the Specific Plan includes the Highway 12 corridor from Agua Caliente Road to Verano Avenue and the residential area in the vicinity of Donald Street...*” This February 24th press release is the first public disclosure the Grand Jury found indicating the inclusion of Donald Street in the Springs Specific Plan.

As shown in Figure 1, Permit Sonoma has hosted four publicly announced community meetings and six CAT meetings regarding the SSP. Figure 1 also shows the dates of Permit Sonoma press releases, along with the evolving descriptions of the Plan area before and after Permit Sonoma mentioned Donald Street for the first time.

The public participation process was closed before Donald Street residents even became aware that the SSP affected them. It was not until early 2019 that Donald Street residents first became aware of the SSP effort.

SSP Event Timeline

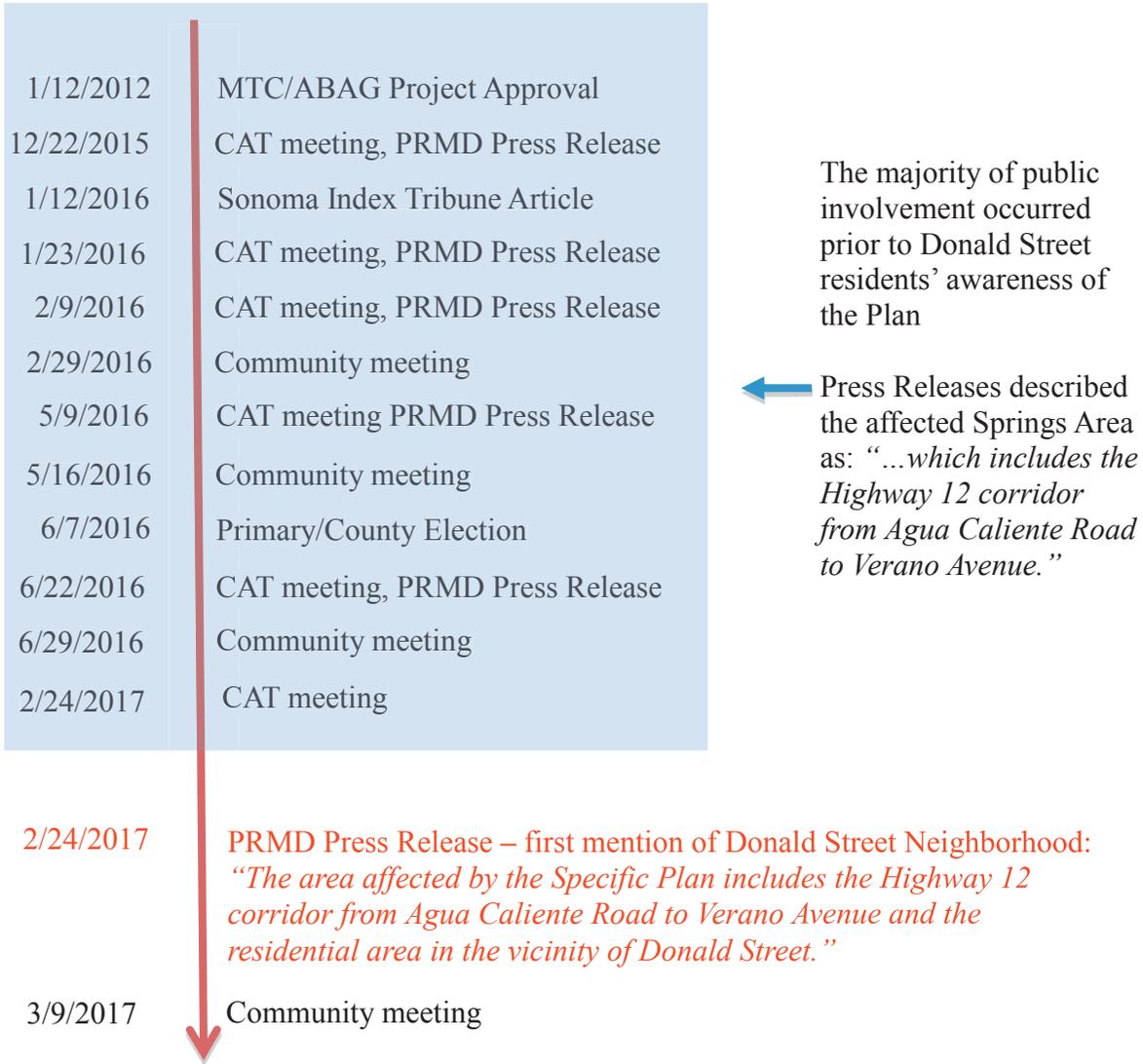


Figure 1

Figure 2 below is the SSP zoning map. In general, the SSP area is within one or two streets of the Highway 12 corridor. The exception is Donald Street, stretching 0.4 miles from Highway 12 (circled on the Figure 2 map).

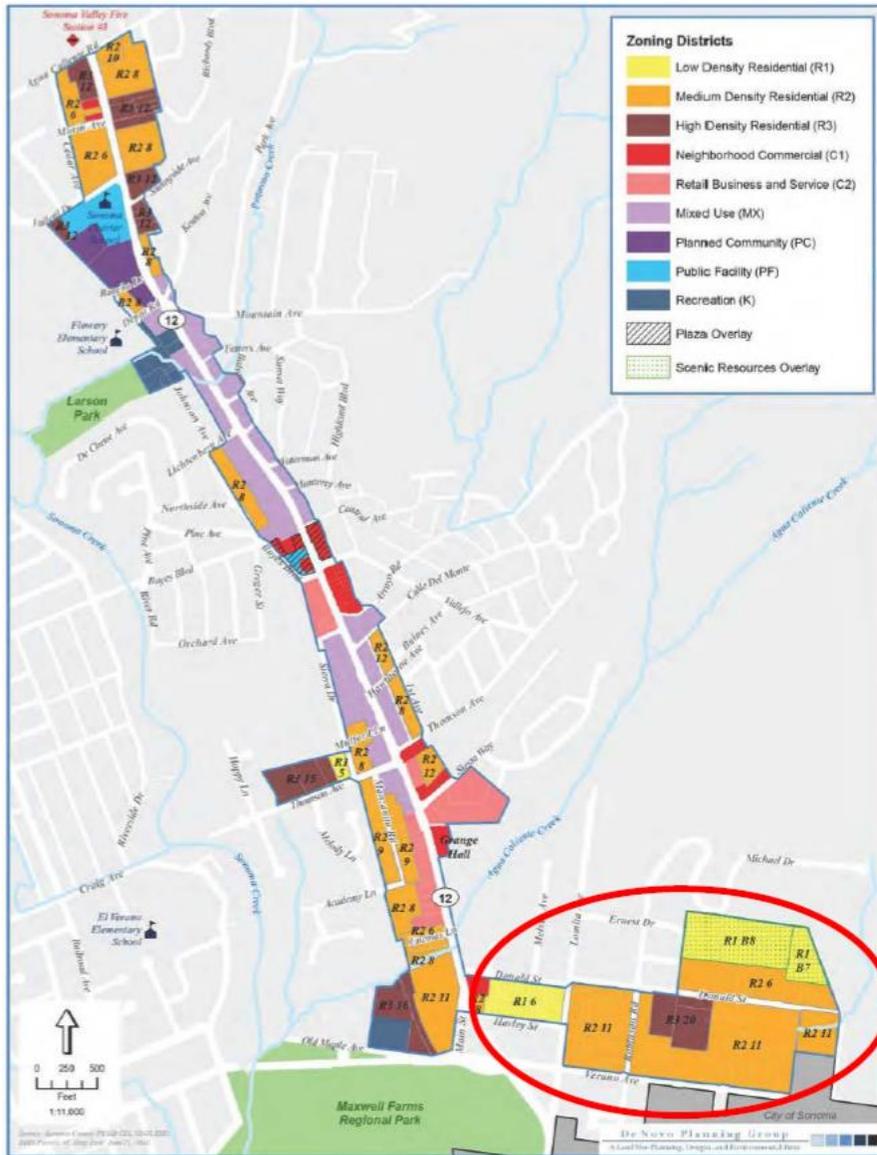


Figure 2

Donald Street residents made a presentation to Permit Sonoma on December 9, 2019. In that presentation, titled “Donald St. Neighborhood & the Springs Specific Plan (SSP)”, they stated that no one attended the SSP meetings.

The reasons given for the residents not attending these SSP meetings, as shown in Figure 1, were as follows:

- The meetings occurred before the public announcement that the SSP included Donald Street.
- There was no mention of the Donald Street neighborhood in any of the newspaper announcements.

- There was no notification to the Donald Street residents either through mailings or signage in their neighborhood area.
- The Donald Street residents received no notification about the Community Workshops held by the CAT or meetings of Sonoma County Alliance (Sonoma County Alliance includes companies, organizations, agencies and individuals concerned about the economic, social, and environmental development of Sonoma County).
- Donald Street residents identify with the City of Sonoma; that is where they shop, attend school, and socialize. Highway 12, the focus of the SSP, is used by these residents primarily to travel to Santa Rosa. Donald Street residents contend that a plan named Springs Specific Plan could not be expected to affect them.

The Grand Jury searched period-available documentation relating to the SSP and concluded that it was reasonable for Donald Street residents not to have expected Donald Street to be part of the SSP.

In January of 2019, Donald Street residents became aware that:

- The Assessor Parcel Numbers (APNs) of their homes and properties were identified as being part of the SSP.
- These APNs contained a tag with a reference to rezoning and to the SSP. This change was dated September 10, 2018, six years after the SSP approval.

Surprised by this news, the residents promptly took the initiative to arrange a meeting on March 6, 2019 with County officials to voice their concerns. The Donald Street residents wanted to participate in the decision-making process, but were told that it was too late. The March 6th meeting was unexpectedly expanded by County officials and resulted in a contentious discussion between affordable housing advocates and Donald Street residents.

After a discussion with Permit Sonoma, the Grand Jury learned that Donald Street had been part of the SSP since its inception in 2012. The Donald Street area was part of the MTC/ABAG approval for funding the SSP development. ABAG emphasizes affordable housing when approving funds for regional developments. The Grand Jury could not find evidence that the County tried to specifically involve Donald Street residents in any notifications or discussions. There was ample notice along the Highway 12 corridor, but not within the City of Sonoma, where Donald Street residents congregate and do business. None of these public notices or announcements indicated a specific reason for Donald Street residents to become involved.

Donald Street residents have submitted their petition, now signed by 263 homeowners, to the Sonoma County Board of Supervisors, requesting a restart of the SSP planning process. Alternatively, they request the removal of the Donald Street neighborhood from the SSP. Donald Street residents have expressed support of the need for new housing; their issues center around not being allowed to represent their concerns.

Specific concerns include:

- Placing limits on housing density for new construction
- Placing limits on building heights for new construction

- Preparing for additional water tanks for increased water usage
- Providing an emergency evacuation route out of the single entrance area
- Accommodating increased parking needs

CONCLUSION

The process followed by County officials did not conform to the MTC public participation policy for project selection (MTC Resolution No. 4035). Thirty-five percent of the SSP affected area was effectively excluded from participation. The Grand Jury, after extensive research, could not find a single reference in published press releases or newspaper articles prior to February 2017 to the Donald Street neighborhood’s inclusion. It is unclear why Permit Sonoma waited five years after the 2012 approval of the SSP to make the first public disclosure that Donald Street was part of the Plan, which occurred in a Permit Sonoma press release dated February 24, 2017. The Grand Jury assumes and hopes that this was due only to an oversight and not to any conscious intent.

FINDINGS

The Sonoma County Civil Grand Jury determined that:

- F1. A resident of Donald Street, using reasonable diligence, would have had difficulty finding out that their neighborhood was part of a large rezoning planning process.
- F2. The boundaries of the SSP area, intended by MTC and ABAG to be within a street or two of a rural transportation corridor – Highway 12 in this case – does not logically encompass a neighborhood as far removed as the Donald Street area.
- F3. Planners should have recognized that the Donald Street neighborhood was not represented in any of the public meetings. The groups tasked to work on the SSP, such as the Community Advisory Team (CAT), Municipal Advisory Committee (MAC), the Sonoma Alliance, and others also failed in this regard.
- F4. Because the Donald Street residents reasonably assumed they were not part of “The Springs,” and notifications did not mention Donald Street’s involvement in the SSP, their distress and surprise upon learning of the rezoning of parcels in the neighborhood is understandable.
- F5. Citizens’ trust in their government was tested at many points in the handling of the SSP, leaving the Donald Street residents feeling marginalized and unheard by their County government.
- F6. The Donald Street residents were caught off guard in the requested meeting on March 6, 2019; they felt they were misled by a County official as to its purpose.
- F7. By not proactively engaging with the Donald Street neighborhood, the County did not live up to its best practices as explicitly set out in MTC Resolution No. 4035.
- F8. No public disclosure laws were broken.

- F9. It is important for County planning officials to disseminate information about development plans in a timely manner in order to uphold residents' confidence in the fairness of the development process.

RECOMMENDATIONS

The Sonoma County Civil Grand Jury recommends that:

- R1. Permit Sonoma offer Donald Street residents an official apology for their missteps by July 1, 2020. (F1, F2, F3, F4, F6, F7)
- R2. Permit Sonoma hold substantive discussions with the Donald Street residents regarding their principal concerns regarding the SSP by July 1, 2020, or before finalizing the SSP, whichever comes first. (F1, F2, F3, F4)
- R3. Permit Sonoma respond to the principal concerns expressed by Donald Street neighborhood with an explanation as to why they can or cannot accommodate the requests of the Donald Street neighborhood residents by July 1, 2020. (F4, F5, F6, F7)
- R4. The Grand Jury does not dictate policy, however, if accommodations cannot be reached, the Board of Supervisors should consider severing Donald Street from the SSP. (F2, F4, F7)
- R5. Permit Sonoma determine where the procedures used for SSP failed, and adopt revised procedures to avoid a repetition of the oversight, with a copy of the revised procedures sent to the Grand Jury by July 1, 2020. (F1, F2, F3, F6, F8, F9)

The Grand Jury has recommended several dates above prior to the official required response dates. These earlier dates are provided because the approval process is ongoing and time critical.

REQUIRED RESPONSES

Pursuant to Penal Code § 933.05, the Grand Jury requires responses as follows:

- Sonoma County Board of Supervisors (R4)
- Permit Sonoma (R1, R2, R3, R5)

The governing bodies indicated above should be aware that their comments or responses must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

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- County of Sonoma. Permit & Resource Management Department. *Springs Specific Plan Discussion Draft*. August 2018.
- County of Sonoma. Permit & Resource Management Department. Governor's Office of Planning & Research. *The Planner's Guide to Specific Plans*. January 2001 Edition.
- LeBaron, Gaye. "The Springs, now and then." *The Press Democrat*, August 29, 2015.
- Metropolitan Transportation Commission Resolution No. 4035. May 17, 2012.

Cycle 2/OBAG Program Project Selection and Programming Policy (Attachment A).

- Sonoma County Board of Supervisors Resolution. December 12, 2012. *Adopting A Resolution Supporting the Submittal of Applications To the Association of Bay Area Governments For Priority Development Area Designation for Seven County Urban Service Areas.*
- Sonoma County Board of Supervisors Resolution. February 25, 2014. *Resolution of Local Support to obtain grant funds to be used for the Sonoma Springs and Airport Industrial Park planning efforts.*

GLOSSARY

- ABAG Association of Bay Area Governments
- SSP Springs Specific Plan
- PRMD Permit & Resource Management Department, County of Sonoma, now Permit Sonoma
- MTC Metropolitan Transportation Commission
- CAT Citizen Advisory Team
- EIR Environmental Impact Report

Sonoma County Sheriff-Coroner's Office

The Resurrection of a Coroner's Office

SUMMARY

The 2013-2014 Sonoma County Civil Grand Jury received a citizen's complaint requesting an investigation into the Sonoma County Sheriff-Coroner's Office. The complaint questioned whether Forensic Medical Group (FMG) could function as a reliable supplier of pathologists for the County of Sonoma. The County had been contracting with FMG to provide forensic medical services since 1997. The Grand Jury found that:

- Between 2012 and 2014, FMG had close to 400 delinquent autopsy reports, violating their contractual agreement.
- The delinquency was attributable to the lack of oversight by the Sonoma County Coroner's Office.
- Delays of autopsy reports may have resulted from the failure to use an up-to-date file management system.
- The County was not imposing financial penalties on FMG for the overdue reports.

The 2019-2020 Grand Jury conducted a new investigation into the Coroner's Office, following up on what changes had been made since the publication of the 2013-2014 Grand Jury report. The current Grand Jury's investigative research included touring the Coroner's facility, conducting interviews and reviewing the Coroner's Office's records.

This investigation learned:

- Starting in 1989, the Coroner's Office has been located at 3336 Chanate Rd, on the County-owned Chanate property. Since October 2018, the County has been in negotiations several times to sell this property. Once a buyer is found, the Coroner's facility will need to move to a new location.
- The Coroner's Office's caseload has been up-to-date since 2015.
- In 2016, the Coroner's Office purchased the Cohero Records Management System. This system improved the organization of all files and allow employees on-line access to all open and closed cases.
- A new full-body autopsy x-ray machine was purchased in 2016.
- In May 2019, the County of Sonoma entered into a contract with Kimi Verilhac, P.C. as the provider of forensic pathology services. This contractor agrees to provide one full-time pathologist and additional part-time or temporary pathologists to keep up with the current caseload.
- Daily supervisory contact has improved the operational oversight of the Coroner's Office.
- A new dental x-ray machine is needed.

BACKGROUND

The Most Recent Coroner's Office Investigation

The 2013-2014 Grand Jury made the following findings:

- There were almost 400 delinquent autopsy reports due to a lack of effective oversight by the Coroner's Office.
- The Coroner's Office had not imposed the contractually specified daily rate of a 2% fine for overdue autopsy reports.
- There was a concern that the Coroner's case backlog was attributed to the absence of an up-to-date file management software system.
- There was a lack of adequate storage for Coroner's records at the facility.

The 2013-2014 Grand Jury's final report was sent to the Sonoma County Sheriff-Coroner's Department and the Sonoma County Board of Supervisors for a required response. In their responses, both the Board of Supervisors and the Sheriff-Coroner's Office disagreed partially or wholly with each of the findings. It was uncertain if changes and improvements would occur.

The Sheriff-Coroner Model

The Sheriff-Coroner is a County-wide elected position. The Sheriff provides law enforcement, court security, and detention services. The Coroner's Office and Morgue operate under the Sheriff's Office Investigations Bureau. Administrative offices and morgue facilities are overseen by a Special Services Lieutenant. Along with the lieutenant the unit is supervised by a Detective Sergeant who serves as Deputy Coroner. The Deputy Coroner is a three-year position with the possibility of reappointment. Along with the Deputy Coroner, the Coroner's Office staffing includes four detectives, two forensic assistants and one intern. The four detective investigators rotate through the Coroner's department approximately every three years. According to the Coroner's Office, skills acquired in forensic services prove useful when these detectives rotate to other units within the Sheriff's Office.

The responsibility of the Coroner's Office is to provide competent and timely law enforcement and scientific investigations of all deaths that meet the criteria as defined by the California Government Code Section 27490-27512 and California Health and Safety Code Section 102850-102870. The Health and Safety Code requires that a death certificate be issued within three days of examination of the deceased and be signed by a physician.

METHODOLOGY

During the investigation, the 2019-2020 Grand Jury:

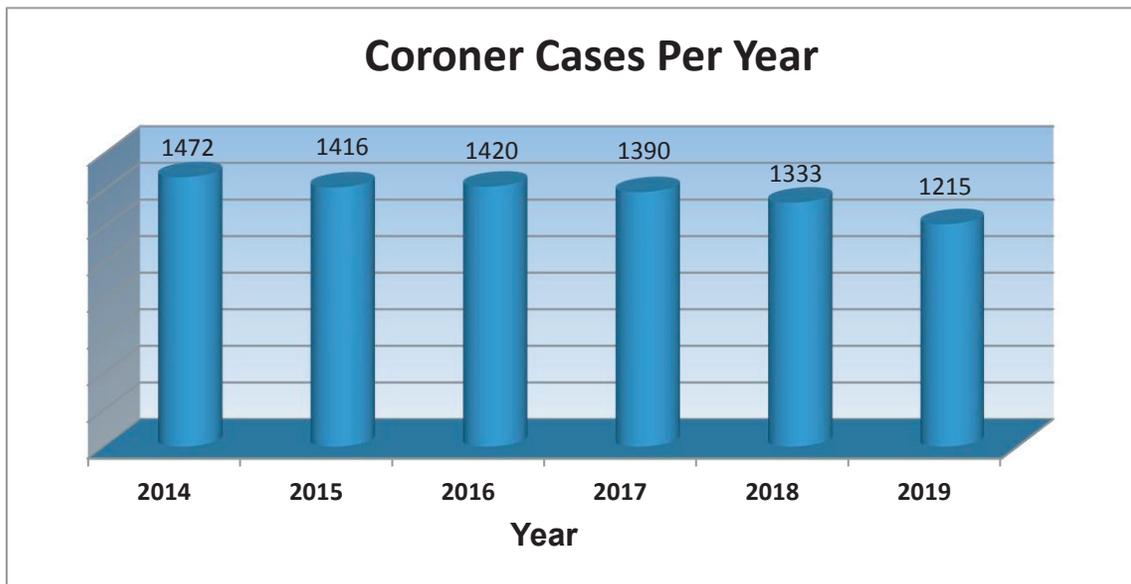
- Studied the 2013-2014 Grand Jury report titled "Sheriff-Coroner's Office and Morgue Inspection."
- Reviewed the responses from both the Sonoma County Sheriff-Coroner's Department and Sonoma County Board of Supervisors.

- Inspected the Coroner’s administrative office space and morgue facilities.
- Reviewed documents related to the Coroner’s operations.
- Conducted interviews with employees of the Sonoma County Sheriff-Coroner’s Department.

DISCUSSION

The Pathology Contractor

It is the Coroner’s Office’s responsibility to provide timely and competent law enforcement and scientific investigations of all deaths that meet the criteria as defined by the California Government Code and California Health and Safety Code (27491). From 2014 to 2019, there was a yearly average of 1,379 mandatory reported deaths to the Coroner’s Office. Coroner cases include accidental deaths, homicides, suicides and deaths due to natural causes. Most of the deaths are from natural causes and do not require intervention from the pathologist.



About a third of the deaths each year require the pathologist to conduct either an *autopsy* or *inspection* of the body. An autopsy is an inspection and dissection of a body postmortem to determine the cause of death. Autopsies examine corpses internally and externally. An inspection is performed when an autopsy is not necessary to provide the cause of death. An inspection includes the external examination of a body and the analysis of medical records, medical history and similar history. A nationwide shortage of qualified forensic pathologists has made it difficult for Sonoma County to recruit and retain pathologists. To compensate for this shortage, Sonoma County has contracted with forensic medical companies that employ multiple pathologists.

A pathologist's autopsy report records the cause of death and is an integral part of the Coroner's final investigation report. This final report, which includes laboratory results, investigative reports and autopsy findings, is necessary for the issuance of a death certificate. The Coroner's report and death certificate are necessary for legal matters, life insurance and estate settlements. In 1997, Forensic Medical Group (FMG) became the primary provider of pathology and forensic services for Sonoma County. In 2012, Sonoma County entered into a new five-year contract with FMG. One contract provision required FMG to complete autopsy documentation within 30 days of the exam or pay a 2% daily fine for delinquent reports.

The 2013-2014 Grand Jury received a citizen complaint relating to the contractual agreement between the Coroner's Office and FMG. Their subsequent investigation determined that between 2012 and 2014, almost 400 autopsy reports were overdue. The Grand Jury concluded that this demonstrated a lack of Coroner's Office oversight of FMG. The Grand Jury also found that the Sheriff-Coroner's Office had not exercised its authority to impose the 2% daily fine for overdue reports.

The 2019 Grand Jury discovered that following the publication of the 2013-2014 Grand Jury report, changes were made in the Coroner's Office. FMG continued as the primary pathology service, but pathologists were reassigned in order to eliminate the backlog of autopsy reports. Some pathologists were directed to complete all of the overdue cases, while others were assigned to handle the incoming cases. By the end of 2015, the backlog had been eliminated. In 2016, Sonoma County contracted with Regional Pathology and Autopsy Services which then became the primary pathology service provider. FMG became a secondary provider of services to the County, acting as a back-up. FMG declared bankruptcy in 2018 and Regional Pathology declared bankruptcy in 2019. In May of 2019, Sonoma County contracted with Kimi Verilhac, P.C. to provide one full-time pathologist and additional part-time or temporary pathologists as needed.

The 2013-2014 Grand Jury reported that the fines were never imposed on FMG for the delinquent reports. In response to the Grand Jury report, the Sheriff's Department stated that there was concern that the amount of the fines was so great that FMG would be forced to go out of business if the penalty was enforced. The Sheriff's Department considered it more important for the pathologists to complete the 400 overdue reports than to collect the fines owed on the delinquent reports. Following the 2013-2014 Grand Jury's report, the Department made an agreement with FMG for a split payment provision; this agreement required partial payment to FMG following the autopsy, with the remainder of the fee to be paid at the completion of the report. This change was made in hopes of promoting timeliness in the conclusion of cases.

Case Management Software System

The 2013-2014 Grand Jury concluded that file storage space was insufficient at the Coroner's Office. Many case files were kept in cardboard boxes and stored on the floor of the facility. Prior to 2017, the Sonoma County Sheriff-Coroner's Office did not use a computerized case management software system. In December 2016, the Sheriff's Department purchased the Cohero Records Management System, bringing digital organization to the Coroner's Office. This system allows the Coroner's employees to monitor the status of all open, pending and closed cases. It can be accessed at any time of day from on-site or off-site. This system helps to ensure oversight of all Coroner's cases and is designed to alert personnel when deadlines are approaching. The Cohero Records Management System has also allowed County personnel to scan all prior case files onto the new system.

Operations Oversight

The 2013-2014 Grand Jury found a lack of effective oversight at the Sonoma County Coroner's Office. The 2019-2020 Grand Jury found that the organizational structure and staffing levels of the Coroner's Office had not changed since the 2013-2014 Grand Jury report. However the 2019-2020 Grand Jury found that a restructuring of responsibilities within the Coroner's leadership has



created positive changes. The increased availability of the Sheriff Department's Lieutenant has enhanced the efficiency of the Coroner's Office. Prior to 2015, the Lieutenant in charge of the Coroner's Office was also responsible for all investigations within the Sonoma County Sheriff's Department. This limited his ability to manage the Coroner's Office effectively. In 2015, the Lieutenant's responsibilities changed and Coroner's Officer Operations became the primary assignment. This led to daily case reviews and weekly meetings of the Lieutenant, Detective Sergeant and pathologists, which increased the effectiveness of supervision and guidance within the Coroner's Office.

The Detective Sergeant functions as a second tier of oversight in the Coroner's office. The Lieutenant and Sergeant monitor the case management system daily. The Sergeant reviews all autopsies and completed reports with the pathologists and supervises the Detectives and their caseloads. The Sergeant is also responsible for completing the staff's annual evaluations of the Coroner's Office.

Building and Equipment

Building

The 2013-2014 Grand Jury recommended the Sonoma County Sheriff's Department and the Sonoma County Board of Supervisors prioritize either remodeling the existing Coroner's Office building or relocating to a new facility.

In 1989, the Sonoma County Coroner's Office moved into its current facility on Chanate Road. The structure was built in 1935 and was originally designed to house the community hospital's laundry and power plant. The County of Sonoma is currently searching for a buyer for the property on Chanate Road, which will require the Coroner's facility to be moved in the near future. Collaboration between the County, Board of Supervisors, and the Coroner's Office will be imperative to ensure the new location will meet all the Department's requirements.



Equipment

The 2013-2014 Grand Jury highlighted the importance of up-to-date equipment.

The 2019-2020 Grand Jury found that in 2016, the Coroner's Office purchased a digital full-body x-ray machine for autopsies. During the 2019-2020 Grand Jury investigation, the importance of modern forensic medical equipment at the Coroner's Office became apparent. The dental x-ray machine currently used is obsolete (it uses film rather than digital technology). A digital x-ray machine produces less radiation (70% less exposure for the operators), has a greater ability to enhance the image and allows for digital archiving on the Unit's computer system. Despite these shortcomings, the Coroner's Office does not currently have the budget to replace the obsolete x-ray machine.

CONCLUSION

Since the Grand Jury investigation six years ago, the Sonoma County Sheriff-Coroner's Office has made significant improvements. They eliminated the case backlog, implemented a new case management system and retained a full time pathologist. The Grand Jury investigation this year found that the department has made organizational changes and is now operating efficiently and professionally. The biggest challenge the Coroner's Office faces today is the state of their facility. For 31 years, the Coroner's Office has worked from an antiquated building that has served the County's needs. As the timing of the Chanate property sale cannot be predicted, the Board of Supervisors should immediately begin the process of relocating the Coroner's Office or building a new and modern facility.

FINDINGS

- F1. The County has addressed the timely completion of pathology reports by contracting with Kimi Verilhac, P.C. as the primary provider for forensic pathology services.
- F2. The responsibilities and organization of the Coroner's Office have been restructured, increasing oversight and efficiency.
- F3. The future sale of the Chanate property makes it necessary to relocate the Coroner's Office.
- F4. The obsolete dental x-ray machine impedes work flow and endangers staff.

COMMENDATIONS

The Sonoma County Civil Grand Jury commends the Sheriff's Office and Coroner's Office for:

- Dealing effectively with the backlog problem. (F2)
- Restructuring responsibilities in the Coroner's Office. (F2)
- Settling the pathology contract issues. (F1)
- Adding a modern case management system.

RECOMMENDATIONS

The Sonoma County Civil Grand Jury recommends that:

- R1. The Board of Supervisors, working in conjunction with the Sheriff's Office and the Coroner's Office Lieutenant, identify a new location for the Coroner's Office and Morgue facility by December 1, 2020. (F3)
- R2. The Board of Supervisors budget the purchase of a new dental x-ray machine for the Coroner's Office for delivery by December 1, 2020. (F4)

REQUIRED RESPONSES

Pursuant to Penal Code § 933.05, the Grand Jury requires responses as follows:

- Sonoma County Sheriff-Coroner (R1)
- Sonoma County Board of Supervisors (R1, R2)

The governing bodies indicated above should be aware that their comments or responses must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

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- Sonoma County Sheriff's Office Response to the 2013-2014 Grand Jury Final Report. *Sheriff-Coroner's Office and Morgue Inspection*.
- Agreement for Forensic Pathology Services.
- The Canadian Academy of Dental Health & Community Sciences. "Digital vs Conventional Radiography in the Dental Office." August 26, 2014.

GLOSSARY

- | | |
|----------------------|--|
| • CMS | Case Management System |
| • Coroner's Office | Sonoma County Sheriff-Coroner's Department |
| • Detective Sergeant | Sergeant |
| • FMG | Forensic Medical Group |
| • Grand Jury | Sonoma County Civil Grand Jury |
| • Regional Pathology | Regional Pathology & Autopsy Services |
| • Unit | Coroner's Office |

Homeless Youth

Sonoma County in Dubious First Place

SUMMARY

“*More youths on streets*” was the headline of an article in the June 28, 2019 edition of The Press Democrat. Citing a “substantial surge in young people counted during this year’s annual survey of homeless individuals in Sonoma County,” the article stated that the numbers raised troubling questions about how to serve vulnerable youth living on the street. This prompted the Sonoma County Civil Grand Jury (Grand Jury) to review the programs that the County currently has to serve the needs of its homeless youth population. The goal of the investigation was to identify any gaps in services, as well as measures that Sonoma County could take to prevent young people from becoming homeless in the first place.

While the number of homeless young people declined nationally from 2018 to 2019, Sonoma County experienced a double-digit percentage increase as illustrated in *Figure 1*. In fact, Sonoma County ranked first in the nation in the size of its homeless youth population when compared to all other similar communities in 2019. In the view of the Grand Jury, this dubious distinction offers the County an ideal opportunity to improve its performance in serving this unique and vulnerable subpopulation of homeless people.

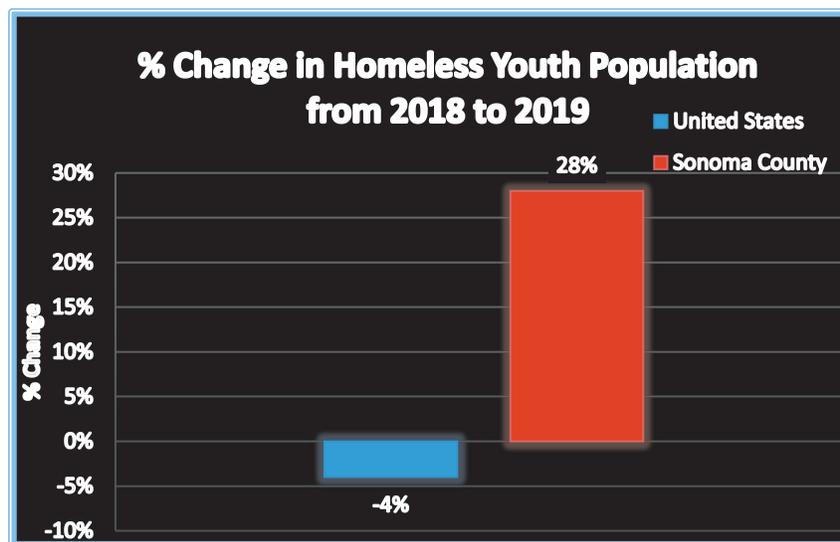


Figure 1

Sonoma County is fortunate to have some exemplary programs for homeless youth, but the Grand Jury found that the scale of current programs and services is simply inadequate to address our sizeable homeless youth population. For example, there is a critical shortage of emergency shelter beds and there are gaps in mental health services and substance abuse treatment programs for young people.

The County’s distribution of state and federal homeless services funds has been disproportionate to the relative size of the youth subpopulation, which has contributed to the mismatch between

need and available services. Moreover, current federal and state funding for such programs and services is unpredictable, making it difficult to provide adequate services for the current population and impossible to build sustainable programs for the future.

It is widely accepted among those who work in the field that the money spent to prevent homelessness has greater impact and efficacy than money spent to address a person's needs after they have already become homeless. Preventive programs and services in other communities have been effective in reducing chronic homelessness¹ and achieving or approaching functional zero homelessness (rehoused within 30 days after becoming homeless) in certain subpopulations, for example, families, veterans and young people.

With this in mind, the Grand Jury has recommended that Sonoma County modify its programs and services, with the goal of achieving functional zero homelessness among young people. The Grand Jury has made cost-effective recommendations that, if implemented, will help meet that goal. The Grand Jury recognizes that homeless services are expensive, and we are not suggesting that the County simply spend more money on them — rather that if the County spends that money in some different ways it will achieve better outcomes than it has up to now. Clearly it will take creative solutions to prevent future youth homelessness, and this effort will require not just the combined work of the County and its service providers, but the resolve of the entire community.

SUBSEQUENT EVENTS

This Homeless Youth report became public in early May. Subsequently, the numbers for the 2020 Point-in-Time Census conducted in February were finalized, however they are not yet publicly available. The Grand Jury is pleased to learn that there was a significant reduction in the size of the homeless youth population when compared to the 2019 Census.

While the Grand Jury commends the County for making progress, the findings and recommendations in its report remain relevant, even more so now that economic fallout from the pandemic is expected to result in sharp increases in the size of the homeless population nationwide.

BACKGROUND

“On a single night in January 2019...” so begins the U.S. Department of Housing and Urban Development's (HUD) report on the results of the 2019 Point-in-Time homeless count. On that January night, 35,038 unaccompanied youth under the age of 25 were experiencing homelessness in the United States, representing six percent of the nation's total homeless population. On that same night, the Sonoma County Point-in-Time count found 657 homeless youth, or 22% of its total homeless population — three and one-half times the national percentage. The term “homeless youth” as used in this report combines two categories: individuals aged 12-17 (also sometimes referred to as “unaccompanied children”) who are homeless and not in the company of their parent(s) or other family, and Transition-Age Youth (TAY), homeless people aged 18-24.

¹ Homeless for one year or longer or four episodes of homelessness totaling 12 months in the past three years.

The survey referred to in The Press Democrat article is the Point-in-Time Homeless Census & Survey prescribed by HUD²; it is conducted in Sonoma County every winter under the direction of the Community Development Commission (CDC). The CDC posts the results online at sonomacounty.ca.gov/CDC/Homeless-Services/Homeless-Count/. The Point-in-Time census utilizes HUD's approved methodology, with the addition in Sonoma County of dedicated youth outreach workers to improve the accuracy of the count for unaccompanied homeless children and youth under the age of 25. It is widely recognized that homeless young people do not congregate with the general adult homeless population and can be located and identified more easily by trained and experienced peers.

The County conducts the count in a non-intrusive manner; therefore it is not precise. However, these reports provide the best numbers, year-to-year comparisons and insights that we have into the magnitude of homelessness in Sonoma County. The 2019 report tells us that despite the relatively stable size of the overall homeless population in recent years, the subpopulation of homeless youth increased significantly in 2019 from the prior year. In 2019, over 22% of Sonoma County's estimated 2,951 homeless individuals were young people and 94% of them were "unsheltered." HUD defines unsheltered as sleeping in a place not designed for or ordinarily used as a regular sleeping accommodation, such as cars, parks and abandoned buildings.

In addition to the census described above, the CDC conducts a survey in the weeks following the street count to obtain additional data about people experiencing homelessness. This survey is a sampling of the people counted in the census; it does not aim to cover every person counted. The County uses the survey results for funding applications and in planning programs to meet the needs of the County's homeless population. In 2019, the County used peer survey workers to conduct 520 valid surveys, establishing a 95% confidence level for generalizing results to the overall homeless population.

According to the *Homeless Youth Fact Sheet*, published by the National Coalition for the Homeless, young people experiencing homelessness have a harder time accessing services — including shelter, medical care and employment. This is partly due to the realities of living unsheltered (for example, inadequate personal hygiene, laundry facilities and reliable transportation), lack of knowledge of available resources and a dearth of services targeted to young people.

METHODOLOGY

The Grand Jury conducted extensive research in open-source documents, including the 2019 Homelessness Census & Survey, The Press Democrat's comprehensive reporting on homelessness, and other materials specific to homeless youth. In addition, the Grand Jury

² The U.S. Department of Education (DOE) also collects statistics on the population of homeless schoolchildren, which generally are higher than the HUD Point-in-Time count. This is because the DOE definitions differ from HUD's, for example, including homeless students who are in the company of their families and reporting every occasion of homelessness throughout the year, rather than a single point in time. The Grand Jury chose to rely on the HUD data, which are used to apply for federal and state funding for housing and homelessness programs. Sonoma County does not make DOE homelessness statistics public due to privacy concerns.

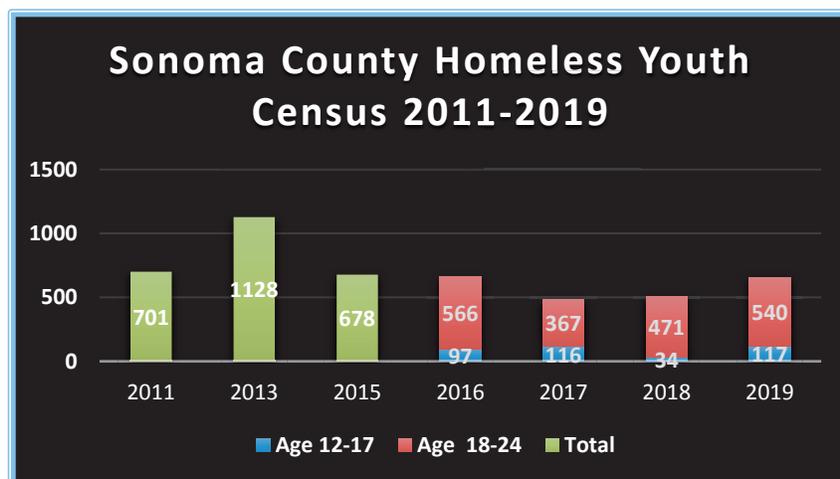
reviewed HUD resources on current best practices and the Youth Homelessness Demonstration Program (YHDP). The Grand Jury also:

- Researched a wide variety of Sonoma County materials relating to homelessness, including minutes of Board of Supervisors (BOS) meetings, Leadership Council of Home Sonoma County (established October 2018) meeting minutes and documentation and the County’s various plans to end homelessness issued over the past several years.
- Attended (either in person or by live streaming) BOS meetings related to homelessness.
- Interviewed County employees from BOS, Department of Health Services (DHS), the County Administrator’s Office (CAO), the Family Justice Center (FJC), Sonoma County Office of Education (SCOE), CDC and representatives of the Leadership Council of Home Sonoma County.
- Interviewed non-governmental organization (NGO) staff members and toured facilities that provide services to homeless youth.
- Toured County facilities at the FJC and the Juvenile Justice Center at Los Guilicos.
- Interviewed individuals who experienced homelessness as young people.

DISCUSSION

Sonoma County’s Homeless Youth

Although the County’s homeless youth population is down from its high point in 2013, the last two Point-in-Time counts show increases; the 2019 count was 36% higher than the low point in 2017.



Note: The available data is not broken down by age group for 2011-2015

Figure 2

The 2019 Sonoma County Homeless Census & Survey report reveals the following significant statistics particular to this subpopulation:

- 67% are male, 33% are female and less than 1% are transgender

- 49% reported drug or alcohol abuse (compared to 35% of the overall homeless population)
- 32% spent a night in jail or prison in the last 12 months
- 28% identified as LGBTQ+
- 25% reported psychiatric or emotional conditions
- 23% reported trading sex for money or a place to stay
- 21% reported a history of foster care
- 13% reported being victims of sex trafficking

In the 2019 survey one statistic stands out that dispels the common belief that the homeless in Sonoma County came from somewhere else. In fact, 87% of those surveyed (all ages) were residents of Sonoma County at the time of housing loss. For the most part, homeless people are our neighbors and homeless young people are the County's children.

Overview of Sonoma County Programs and Services that Serve Homeless Youth

Sonoma County Departments and Commissions are responsible for providing services to residents of the County, including the homeless, although most programs are not specifically designed to serve the homeless. The agencies that provide the bulk of services to the homeless youth population are:

- Community Development Commission — the County's lead agency for housing, including development of affordable housing, rental assistance and homelessness programs. The CDC is also the designated lead agency for Home Sonoma County, a collaborative effort between the County and its cities. Among other responsibilities, Home Sonoma County reviews and makes recommendations for funding awards to non-government service providers that create affordable housing or provide shelter or services to the homeless.
- Department of Health Services — the County's provider of public health services, including the Behavioral Health Division (BHD), which includes mental health services, behavioral health services delivered through Youth & Family Services (YFS) and substance use disorders programs.

In a January 2020 restructuring, the BOS appointed the director of DHS to also lead the CDC on an interim basis, recognizing that housing is a healthcare issue.

The County also contracts with NGOs to provide services to the homeless youth population. For example:

- Social Advocates for Youth (SAY) provides emergency shelter for unaccompanied youth, emergency shelter and transitional housing for TAY, as well as a navigation center that offers counseling services, job training, career guidance and assistance in locating permanent housing. SAY also provides mental health services to youth as described in Appendix A of this report.
- VOICES provides community centers for youth who have aged out of, or are transitioning out of, the foster care system and losing their access to housing, education, employment and wellness services. VOICES utilizes a unique peer-based approach to

providing support services and encourages youth leadership and advocacy for youth in the community.

- Positive Images provides a community center for the LGBTQ+ population that offers support, advocacy and education programs. Support programs focus on mental health and wellness, self-care, confidence building and community. Positive Images also provides education about the LGBTQ+ community and its needs to BHD and to other NGO service providers.
- The Seneca Family of Agencies (Seneca) provides outpatient mental health services to youth needing therapy or help with behavioral health issues.
- LifeWorks Therapy Clinic provides outpatient mental health services to young people under a contract with YFS.
- Buckelew Programs provides mental health supportive services to people over 18 under a contract with BHD.
- Community Support Network (CSN) operates Permanent Supportive Housing (PSH) for homeless young people and former foster youth. They also operate several other residential programs in the County that offer a variety of mental health and addiction recovery programs to individuals aged 18 to 59.
- Verity provides counseling services to victims of sexual violence and trafficking through the FJC, regardless of housing status.
- TLC Child & Family Services provides housing and other services to young people aging out of the foster care system.

Emergency Shelter & Housing for Homeless Youth

Not all of the County's shelter options are available to or suitable for homeless young people. An individual must be at least 18 to use shelter beds provided by Catholic Charities, the largest provider of emergency shelter beds in the County. Unaccompanied children (12-17) are housed on an emergency basis at SAY's Dr. James E. Coffee House Teen Shelter (Coffee House), because other shelters do not take unaccompanied children. The Coffee House has five beds. SAY's case managers work with these children to try to reunite them with their families, other relatives or guardians within 72 hours. Should this fail they are referred to County authorities, whose priority is to reunite families.

Older youth (or TAY, 18-24) tend not to congregate with the adult homeless population and, as a result, do not often use the services provided by Catholic Charities even though they are technically eligible to do so. SAY offers emergency shelter for up to twelve young people at its Dream Center in Santa Rosa for stays averaging three to four months, during which time SAY staff prioritize getting them jobs, helping them find stable housing and connecting them with the services they need. The Dream Center also provides subsidized transitional housing, with 51 beds in private single or double-occupancy rooms. Youth may remain at the Dream Center while they stabilize their lives with counseling services, job training programs and education. Once stabilized, they may move to permanent housing, including renting an apartment where SAY holds the master lease and subsidizes rent. There is affordable housing at Tamayo Village, also operated by SAY, with room for 25 youth who are former foster children and formerly homeless young adults.

The County's 2019 housing inventory showed only 42 of 772 total Permanent Supportive Housing (PSH) beds available to youth; PSH beds require the occupant to have a disability.

Another category of housing, Open Permanent Housing, does not require a disability; 23 of 318 such beds were open to young people in 2019. In addition to these inventory numbers, CSN recently opened Sanctuary Villas, which accommodates eight formerly homeless youth, four of whom come from the foster care system.

All told, the County has accommodations for 161 young people, roughly enough for 30% of the currently homeless TAY population. These numbers do not reflect “unofficial” temporary placements in volunteer host homes; individual volunteers are sometimes called upon to shelter homeless youth when a safe emergency shelter bed is not available. All the beds for unaccompanied children, and the vast majority of beds dedicated for TAY, are located in Santa Rosa, even though there are members of this subpopulation throughout the County.

Services Available to Homeless Youth

Substance Abuse Treatment Programs

Drug abuse and addiction are common in the homeless youth population. Alcohol is the most common drug, followed by marijuana and other street drugs. Opioid abuse is also growing among this age group. While it provides extensive counseling services to address childhood trauma and mental health issues, SAY does not provide treatment for drug or alcohol addiction, which often co-occur with mental health issues. In fact, there are no Medi-Cal services for drug or alcohol addiction treatment in the County. Residential drug and alcohol treatment programs are only available to those with private-pay insurance, which effectively excludes most homeless people.

The County’s Substance Use Disorder & Community Recovery Services does not offer any programs tailored to the particular needs of young people. Research indicates that addiction treatment for young people, whose brains are not yet fully developed, requires different treatment protocols and is more effective when it is individualized to address underlying trauma. Nevertheless, young people are often placed in programs that are less than ideal for them, such as Alcoholics Anonymous or Narcotics Anonymous, because that is all that is available.

Mental Health Services

To say that the mental health services landscape is vast and complicated is an understatement. Many homeless youth have significant mental health issues that require treatment, including depression, anxiety disorders, post-traumatic stress disorder (PTSD), schizophrenia and suicidal thoughts. Young people who live in the County and need mental health services are eligible to participate in County mental health programs regardless of housing status. However, the County does not currently track housing status in a way that would allow the determination of how many homeless people utilize mental health or other health services or the cost of those services broken down by this metric.

Some of the mental health services available for young people in Sonoma County are County operated. The County DHS has the equivalent of 148 full-time employees in the mental health field, including case managers, support specialists, technicians, nurses and physicians. They provide face-to-face client services or clinical support to those services in institutions, clinics and the community for citizens of all ages.

Medi-Cal is an important piece of the mental health puzzle. It allows eligible young people to establish a “medical home” and access behavioral health services. Within the Medi-Cal system, the County is responsible for providing services to adults with Severe Mental Illness and children with Serious Emotional Disturbance (SED). Medi-Cal beneficiaries with mental health conditions that do not meet those criteria are eligible for “mild to moderate” mental health services benefits, provided by a Managed Care Plan (in Sonoma County it is Partnership Health Plan of California, which contracts with Beacon Health Options).

There are no Medi-Cal-covered, in-patient mental health services for youth under 18 who require hospitalization in Sonoma County. Those who require hospitalization are referred to services outside the County. The new in-patient mental health facility in Sebastopol is only available to individuals 18 years of age and older.

For those needing mental health treatment, but not hospitalization, BHD contracts with vendors to provide additional mental health services, which are described in Appendix A. The services provided by the County and through its contractors are critical to addressing the needs of the homeless youth population. However, multiple Grand Jury interviewees expressed concern that there are simply not enough Medi-Cal provider hours to meet the current needs for mental health services for homeless young people. As a result, many homeless young people with mental health issues remain underserved or unserved.

Additional Considerations

LGBTQ+ Youth

LGBTQ+ homeless youth face many special challenges. They are often homeless because their family has rejected them due to their sexual identity. Agencies such as Positive Images provide support services, advocacy and education to the LGBTQ+ population of all ages regardless of housing status. In the meantime, these young people are uniquely vulnerable, particularly the transgender population, and need to be housed in a safe environment as discrimination and hate crimes against LGBTQ+ individuals are still a fact of life in Sonoma County.

Sex for Shelter

Sex in exchange for housing reflects the economics of housing. Young people cannot afford housing; sex is a commodity that is exchanged for housing, according to survey results. This further emphasizes the need for more safe shelters for young people.

Outreach teams who make contact with unsheltered youth generally have supplies and informational referrals, which include support for safe sex, birth control and STD treatment. Unfortunately, future outreach services will likely be reduced due to budget constraints; for example, SAY is expecting a projected \$103,000 reduction in street outreach funding from CDC for next year.

Sex Trafficking

Sex trafficking involves the use of force, fraud or coercion to exploit someone for commercial sex purposes. Victims are often young and may have substance use issues, which traffickers cultivate in order to coerce victims to continue to engage in sex trade. Homeless or impoverished

individuals, minors from unstable homes, those who suffered abuse at a young age and those in foster care are particularly vulnerable to traffickers.

The Family Justice Center (FJC) is a model for conducting outreach to locate victims of sex trafficking, regardless of housing status, and navigating them through a broad portfolio of services, including counseling, medical, emergency safe housing, legal and other services. Victims of sex trafficking are typically the costliest homeless youth to treat because of the wide range and duration of services required to address the significant, deep trauma suffered.

Former Foster Care Homeless Youth

A sizeable portion of the homeless youth population has been in the foster care system. When children turn 18, they age out of the foster care system and no longer have access to housing and other benefits. Some former foster children leave the system before age 18, either as runaways or by becoming legally emancipated. Due to their young age and lack of access to resources, they are at particularly high risk for homelessness.

VOICES works with foster care and former foster care youth to help them find direction through goal setting, counseling and coaching. VOICES can assist these youths in locating housing, but it does not have any beds. SAY also provides services to former foster care youth, including emergency shelter, transitional housing, counseling and career services.

In 2001, the California State Legislature established a supportive housing program to address the needs of young adults who age out of or otherwise leave foster care. It assists them in making a safe and supported transition from foster care to adulthood. This program is the subject of a Request for Proposal (RFP) issued in January 2020 by the County's Family, Youth and Children's Services Department. The purpose of the RFP is to identify a service provider to supply housing, case management and supportive services to former foster youth ages 18-24 for up to 24 months while they complete their education and obtain employment. This program is a preventive measure aimed at reducing the incidence of former foster children becoming homeless. The County has allocated up to \$512,000 per year to this program. These services are currently being provided by TLC Child & Family Services.

Program Costs and Funding

Mental Health Services

For fiscal year 2019-2020 there are \$4.4 million in contracts for mental health services for youth, regardless of housing status. These contracts are for core, mandated Medi-Cal services and are funded by a combination of state and federal programs, with required County general fund participation. While there are no plans to reduce contracts or programming at this time, decisions for the 2020-2021 budget are not yet final.

Homeless Youth Programs Funding

The Leadership Council of Home Sonoma County awarded \$14.1 million to various homeless projects and services in 2019. Of this, \$1.9 million was awarded to youth-serving projects. While this amount far exceeded the minimum requirement for youth programs by the state funding

source, it still represented only 14% of the funds, while young people accounted for 17% and 22% of the homeless population in 2018 and 2019, respectively.

Funds totaling \$6.7 million will come from the state in 2020 requiring an allocation of at least 8% for youth programs; the County's applications have earmarked approximately 13% of the funds (\$867,000) for such programs. Again, while well over the minimum requirement, this allocation is disproportionately small compared to the size of the youth subpopulation.

One of the major concerns with funding from federal and state programs is that amounts are dependent on several variables, with no guarantee of funding continuity. The \$12.1 million received from the state in 2019 was a one-time event. State funding for 2020 is also a one-time grant, meant to cover homeless needs for the next five years. Because of the significant reduction in state funding from 2019 to 2020, the Leadership Council has announced an across-the-board reduction of 34% in funding for homeless programs for the 2020-2021 fiscal year.

Future funding from the state is unpredictable and contingent on the condition of the state's budget. Both state and federal funding are likely in jeopardy due to the economic impact of the COVID-19 pandemic. Moreover, the distribution of federal funds may be subject to political constraints.

Appendix B provides additional detail and analysis of the costs and funding of programs that serve homeless youth.

Best Practices

The Grand Jury identified several best practices that could be taken to reduce or prevent youth homelessness.

HUD Youth Homelessness Demonstration Program (YHDP)

This HUD program awards grants to communities each year to fund programs to end youth homelessness. HUD has awarded a total of \$151 million to 44 communities in three funding rounds. Projects have two-year grant terms and are renewable if they meet statutory requirements. Applicants submit detailed plans that include, among other things, a needs statement, goals and objectives, a timeline for planning and implementation, governance and projects. These plans are evaluated using strict criteria, resulting in a numeric score.

Seattle, which received \$5.4 million in Round 1 YHDP funding, reduced its homeless youth population by 28% from 2018 to 2019. The results from the 2020 count are not yet available. Sonoma County's CDC has applied for YHDP in all three years but was turned down each time, missing the cut-off score by just a few points. The CDC continues to apply for this funding each year.

One of the hallmarks of a successful YHDP application is community involvement, particularly the inclusion of a Youth Advisory Board that engages homeless youth to provide input and a reality check on the planning process. A lack of funding support from the County has so far stymied CDC's attempts to create such a board.

Early Intervention

One of the most effective deterrents to youth homelessness is recognizing when children are at risk and intervening to provide needed services and programs. The state of California has recently endorsed the use of the Pediatric Adverse Childhood Experiences (ACEs) and Related Life-Events Screener (PEARLS). This tool identifies exposure to childhood adversity and events that may increase a child's risk for toxic stress and negative health outcomes, including poor physical, developmental and behavioral health outcomes. The tool is free of charge and recommended for use in all child-serving medical-practice settings. The ACEs screened for include abuse, neglect, dysfunction in the household, hardship and other significant life events.

Physicians who use this tool can advise patients and their caregivers of resources available to address the identified risks. The Grand Jury observed that many of the adverse experiences screened for by PEARLS are also risk factors for future mental health issues, substance abuse and homelessness.

The Geelong Project

Geelong (a suburb of Melbourne, Australia) has been successful in reducing youth homelessness by preventing it from happening in the first place. Since 2013, three schools in Geelong have screened all students for their risk of becoming homeless or leaving school before 12th grade. Students who are identified as being at greater risk are connected with services such as rental assistance, mentorship and counseling. Operating on a \$1.2 million seed grant, the Geelong Project has reduced the number of youth entering homelessness by 40% and reduced the dropout rate at the pilot schools by 20%. This program's results illustrate the value of spending preventive dollars rather than trying to respond to homelessness after it occurs.

The "Upstream Project," modeled on the Geelong Project, was implemented in Hopkins, Minnesota public schools in 2019 in collaboration with the University of Chicago's Chapin Hall. The Geelong Project is also under consideration for a pilot in Tukwila, Washington schools (a suburb of Seattle) later this year.

Life Skills

Sonoma County is, no doubt, an expensive place to live. It takes, on average, 2½ minimum wage jobs to be able to afford rent here. Young people often lack the basic financial literacy and life skills that would help them navigate and thrive in this economy. Several high schools and universities across the country are now offering short (3-5 day) "Adulting 101" classes to teach basic financial literacy topics, including loans, credit history, budgeting, insurance and taxes. The California Department of Education has a library of financial literacy program resources available for grades K-12. Additionally, the California Bankers Association has financial literacy curricula available, and its member banks are encouraged to partner with schools and communities to lead these programs.

The U.S. Department of Commerce's Economic Development Administration recently announced a \$7.1 million grant of disaster relief funds to Santa Rosa Junior College (SRJC) to establish a construction trades training center at SRJC's Petaluma Campus. The center will offer short-term certification programs as well as credit programs from one to four semesters. The center will be able to produce 500 skilled construction trade workers per year when operating at

full capacity. According to the Sonoma County Economic Development Board, the County does not have enough skilled construction workers to meet current and future housing demands. This program presents an opportunity to provide marketable skills and job training to youth who are, or who are at risk for becoming, homeless.

COMMENDATION

To understand the needs of homeless youth and the programs that serve them, the Grand Jury met with representatives of NGO service providers and County employees from departments that provide direct services or engage third-party service providers. The passion and compassion shown by these people was remarkable. Without exception, they are extremely dedicated to their jobs and work tirelessly and creatively to provide appropriate services to this vulnerable population. This is so even though they face the challenges of inadequate resources, unstable funding sources and the considerable administrative demands associated with state and federally funded programs.

FINDINGS

The Sonoma County Civil Grand Jury determined that:

- F1. The critical shortage of emergency shelter beds for the homeless youth population limits the County's ability to serve this population adequately.
- F2. Shelter beds for homeless youth are currently concentrated in Santa Rosa, leaving inadequate services in other parts of the County.
- F3. Because the County lacks a Medi-Cal residential rehabilitation facility for young people with substance abuse disorders, homeless young people who need such treatment are at particular disadvantage.
- F4. The same substance abuse treatment protocols are being used for youth and adults even though research shows that young people need treatments designed for their particular age and needs.
- F5. The availability of outpatient mental health service provider appointments that accept Medi-Cal payments is inadequate to serve the number of youths requiring such services; more options are needed for therapeutic resources for children and young adults.
- F6. The County needs a short-term mental health facility that accepts Medi-Cal payments and serves young people.
- F7. Additional programs in schools are needed to provide marketable skills and financial literacy to young people.
- F8. The share of funding for youth homeless programs is disproportionately smaller than the relative size of the homeless youth subpopulation.
- F9. The majority of the County's efforts related to the homeless youth population focus on providing programs and services to young people already living on the streets, rather than programs to prevent homelessness in the first place.

- F10. The County's failure to fund a Youth Action Board has likely contributed to its lack of success in obtaining HUD's Youth Homelessness Demonstration Program funding.
- F11. The County does not currently track housing status in a way that permits a determination of how many homeless people it serves and the cost of those services.
- F12. Due to state and federal funding cuts, the Leadership Council has announced a 34% reduction for 2020-2021 that will severely affect the County's homeless programs and services across the board.
- F13. The lack of a stable funding source prevents the County from developing and implementing sustainable programs and services for homeless young people.

RECOMMENDATIONS

The Sonoma County Civil Grand Jury recommends that:

- R1. The Board of Supervisors commit to reducing the number of homeless young people in Sonoma County to functional zero within three years. (F9)
- R2. Sonoma County Community Development Commission increase the number of shelter beds for homeless youth, keeping in mind the needs for safe space for young people, by February 28, 2021. (F1)
- R3. Sonoma County Community Development Commission ensure that shelter beds for young people are available in all areas of the County with a homeless youth population, by February 28, 2021. (F2)
- R4. Sonoma County Department of Health Services contract with an existing in-County residential addiction treatment facility to set aside a small number of beds for youth, by February 28, 2021. (F3)
- R5. Sonoma County Department of Health Services establish a drug and alcohol program specifically designed to treat youth with substance abuse disorders, by February 28, 2021. (F4)
- R6. Sonoma County Department of Health Services staff a department with a sufficient number of Behavioral Therapists to meet the demand for Medi-Cal mental health services in the homeless youth population, by February 28, 2021. (F5)
- R7. If it is safe to do so, Sonoma County Department of Health Services set aside a small number of beds for unaccompanied youth in the new short-term mental health facility in Sebastopol, by December 31, 2020. (F6)
- R8. Sonoma County Office of Education form a partnership with a local financial institution to implement a financial literacy program for middle and high school students, by February 28, 2021. (F7)
- R9. Sonoma County Community Development Commission allocate funds to homeless youth programs and services proportionate to the size of the subpopulation in the most recent census data, when not otherwise constrained by restrictions on state and federal funds, for the FY 2021-22 budget cycle. (F8)

- R10. Sonoma County Department of Health Services conduct outreach to the local medical community to encourage the use of the PEARLS assessment tool and provide them information about County programs available to assist children who have experienced serious trauma, by February 28, 2021. (F9)
- R11. Sonoma County Office of Education, by February 28, 2021, begin monitoring the implementation and progress of the Upstream Project, in Hopkins, MN, and the Geelong model pilot project in Tukwila, WA, and consider implementing a pilot program on this model in Sonoma County. (F9)
- R12. Sonoma County Community Development Commission establish and budget for a Youth Action Board to improve the chances of federal funding through HUD's Youth Homelessness Demonstration Program, by February 28, 2021. (F10)
- R13. The Sonoma County Board of Supervisors and Sonoma County Administrator's Office identify, by December 31, 2020, a stable funding source to support sustainable programs that will reduce youth homelessness to functional zero. (F11, F12)
- R14. The Sonoma County Board of Supervisors and Sonoma County Administrator's Office develop and implement, by June 30, 2021, a procedure for County departments to consistently identify and track the cost of services provided to the homeless population. (F11)

REQUIRED RESPONSES

Pursuant to Penal Code §§ 933 and 933.05, the grand jury requires responses as follows:

- Sonoma County Community Development Commission (R2, R3, R9, R12)
- Sonoma County Office of Education (R8, R11)
- Sonoma County Department of Health Services (R4, R5, R6, R7, R10)
- Sonoma County Board of Supervisors (R1, R13, R14)
- Sonoma County Administrator's Office (R13, R14)

The governing bodies indicated above should be aware that their comments and responses must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

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GLOSSARY

- ACEs Adverse Childhood Experiences
- BHD Behavioral Health Division
- BOS Board of Supervisors
- CAO County Administrator’s Office
- CDC Community Development Commission
- Coffee House Dr. James E. Coffee House Teen Shelter
- CSN Community Support Network
- DOE U.S. Department of Education
- DHS Department of Health Services
- FJC Family Justice Center
- FSP Full Service Partnership
- HEAP Homeless Emergency Aid Program
- HHAP Homeless Housing Assistance and Prevention
- HUD Department of Housing and Urban Development
- LGBTQ+ Lesbian, Gay, Bisexual, Trans, Queer and other gender identities
- NGO Non-governmental organization
- PEARLS Pediatric and Related Life-Events Screener
- PSH Permanent Supportive Housing
- PTSD Post-traumatic stress disorder
- RFP Request for Proposal
- Seneca The Seneca Family of Agencies
- SRJC Santa Rosa Junior College
- SAY Social Advocates for Youth
- SCOE Sonoma County Office of Education
- SED Serious Emotional Disturbance
- TAY Transition-Age Youth (homeless people between the ages of 18-24)
- YFS Youth & Family Services
- YHDP Youth Homelessness Demonstration Program

APPENDIX A

BHD - Contracted Mental Health Service Providers

- SAY is under contract to provide Specialty Mental Health Services on an outpatient basis to clients aged 0-25 referred by BHD. Using evidence-based protocols, SAY provides a variety of specialized therapies. The goal of these services is increased access to mental health, safe and stable housing and employment and to build skills for long-term, sustainable self-sufficiency.
- SAY also provides Therapeutic Behavioral Services, which are supplemental specialty mental health services for youth experiencing SED and behavioral problems that put them at risk for residential placement or psychiatric hospitalization.
- SAY’s Full-Service Partnership (FSP) provides services to youth who have been hospitalized for psychiatric crisis or suicide attempts or who are at risk for hurting themselves or others. SAY also provides eight beds at its Tamayo Village facility for youth ages 18-25 who are participants in this FSP.
- Seneca’s Outpatient Mental Health Services program provides specialty mental health services for any referred youth in need of therapy or other behavioral health services. The outpatient program offers a wide range of interventions based on each person’s unique needs.
- BHD has a separate contract with Seneca to provide specialty mental health services through the Intensive Services Foster Care Program for foster youth (ages 4-21) identified as emotionally disturbed or who have a serious behavioral problem.
- LifeWorks Therapy Clinic offers six months of therapy services to children and families served by BHD. Services focus on building skills for self-sufficiency and sustainability. LifeWorks encourages parent involvement in child treatment and seeks to build openness and connection in families whenever possible.
- Buckelew Programs assists people ages 18 and up with serious and persistent mental illness to develop new skills, or enhance current skills, needed to self-direct their own lives and live independently. Buckelew provides mental health rehabilitation services, targeted case management and 24-hour urgent response.
- Additional mental health service providers include VOICES, Wellness and Advocacy Center, Interlink Self-Help Center and Petaluma Peer Recovery Center.

APPENDIX B

Program Costs & Funding

2019-2020 Mental Health Services for Youth Program Costs

PROGRAM	2019-2020 BHD CONTRACT
SAY	\$ 1.5M
Seneca	1.5M
LifeWorks	0.9M
Reserve for additional youth mental health services	0.5M
TOTAL	\$ 4.4M

The \$4.4 million in contracts for mental health services for youth, regardless of housing status, for fiscal year 2019-2020 represents 24% of the YFS total budget and 5% of the overall BHD budget. These contracts are for core, mandated Medi-Cal services and are funded by a combination of state and federal programs; County general funds are required to supplement the Federal Financial Participation (roughly a 50/50 split). While there are no plans to reduce contracts or programming at this time, decisions for the 2020-2021 budget are not yet final.

2019-2020 CDC Homeless Programs Costs

The County was the recipient of new, one-time state Homeless Emergency Aid Program (HEAP) funding of \$12 million in 2019, which tripled the CDC’s usual funding. Together with additional federal funding, a total of \$14.1 million was awarded by the Leadership Council of Home Sonoma County to various homeless projects and services in 2019. HEAP required a minimum allocation of 5% (or \$605,000) go to youth-serving projects. While the \$1.9 million awarded to such projects far exceeded the minimum requirement, it still represented only 14% of the funds, while young people accounted for 17% and 22% of the homeless population in 2018 and 2019, respectively. The Leadership Council made awards to the following youth programs:

PROGRAM	2019-2020 AWARDS
HEAP AWARDS	
SAY (Outreach)	\$ 308K
SAY (TAY Homeless Prevention)	105K
SAY (Dream Center Emergency Shelter)	150K
SAY (TAY Winter Shelter)	50K
SAY (Rapid Re-Housing)	157K
TLC Child & Youth Services (THP+ Expansion)	306K
CSN (Sanctuary House PSH Operations)	74K
CSN (Sanctuary Villa Capital Development)	750K
TOTAL HEAP AWARDS TO YOUTH PROGRAMS	\$ 1.9M
CONTINUUM OF CARE AWARDS	
SAY (Sponsor Based Rental Assistance)	\$ 237K
CSN (Sanctuary Villas)	62K
TOTAL CONTINUUM OF CARE AWARDS TO YOUTH PROGRAMS	\$ 298K
TOTAL AWARDS TO YOUTH PROGRAMS	\$2.2M

Funds totaling \$6.7 million will come from the state in 2020 from Homeless Housing Assistance and Prevention (HHAP). HHAP requires an allocation of at least 8% for youth programs; the County’s applications have earmarked approximately 13% of the funds (\$867,000) for such programs. Again, while well over the minimum requirement, this allocation is disproportionately small compared to the size of the youth subpopulation.

One of the major concerns with funding from federal and state programs is that amounts are dependent on several variables, and there is no guarantee of future availability. The HEAP funding received from the state of California in 2019 was a one-time event. HHAP is also a one-time grant to meet homeless needs over a five-year period. Because of the significant reduction

in state funding from 2019 to 2020, the Leadership Council has announced an across-the-board reduction of 34% in funding for homeless programs for the 2020-2021 fiscal year. Future funding from the state is unpredictable and contingent on the condition of the state's budget. Moreover, the distribution of federal funds may be subject to political constraints.

Sonoma County Has a Homeless Crisis

Is There a Response Plan?

SUMMARY

Approximately 3,000 county residents are without permanent housing each night. About 2,000 of them also have no temporary shelter. They sleep in cars, RVs, doorways, and temporary encampments under a freeway overpass, along a road, or on public property. Recent encampments include “Homeless Hill” off Farmers Lane, “Camp Michela” in Roseland, and a large collection of tents and temporary shelters along the Joe Rodota Trail. The numbers of homeless individuals have remained virtually unchanged over the last several years despite various plans to find or generate housing. Homelessness is as extreme an emergency as a natural disaster. As such, it deserves the same sense of urgency and a response of similar scope.

When the fires of 2017 occurred, the reaction was immediate and overwhelming. An emergency response center was set up at the Sonoma County Fairgrounds in a matter of days. Hundreds of first responders were housed in trailers and tents within hours. Emergency response teams such as the Red Cross connected fire victims with temporary housing immediately. Floods and fires in 2019 similarly involved large-scale evacuations and temporary shelter options. The COVID-19 pandemic prompted shelter-in-place orders, massive business shutdowns, and park closures to help ensure “social distancing.” The approximately 3,000 homeless residents require a crisis response as well.

Homelessness does not respect political boundaries. Multiple governmental and private agencies provide services to the homeless in Sonoma County. Much of the funding for these services comes from state and federal sources and is disbursed on a year-by-year basis, making long-term planning difficult. Use of these funds must adhere to guidelines based on the U.S. Department of Housing and Urban Development model known as Housing First, which prioritizes permanent housing over temporary shelters. The policy places the most vulnerable at the highest priority for housing.

The greatest constraint on housing the homeless population is the lack of available accommodations of any type. There are simply not enough beds to fulfill the needs. Nevertheless, multiple plans and policies to “solve” the homelessness crisis have been adopted, with little change in the numbers of people sleeping on the street.

Perhaps the most glaring example of the lack of adequate planning was that of the encampment on the Joe Rodota Trail in the fall of 2019. The homeless encampment grew to nearly a mile in length and at least 250 strong before public awareness and pressure dominated the news. The Board of Supervisors responded to the crisis with a hastily developed plan that committed over \$12 million for various shelters and services. This occurred while under the restrictions of a legal settlement in response to the October 2018 decision by the U.S. Court of Appeals for the Ninth Circuit in the *Boise* case. The settlement required that homeless people displaced from encampments on public land be offered suitable shelter as well as a number of other services. Sixty (60) of the trail occupants were placed in tiny houses installed at Los Guilicos and approximately thirty (30) others were placed in other temporary shelters. Over 150 homeless

people determined there was no viable option for them and chose to search for another spot to pitch their tents.

Despite representing less than 10% of the county homeless population, the Joe Rodota Trail emergency resulted in a significant redistribution of homeless funding. The Joe Rodota Trail problem could have been averted had a plan been developed and implemented to provide adequate shelter options.

BACKGROUND

The Sonoma County homeless population has remained relatively constant for the past four years. During this period, Sonoma County has struggled to address homelessness with a variety of reorganizations, leadership changes, and planning studies. These efforts have produced little change.

During this time, the County and the City of Santa Rosa used Housing First as a model for addressing homelessness. In 2018, these governmental entities, along with the City of Petaluma created a new governing body, the Home Sonoma County Leadership Council (LC), intended to be the homelessness policy coordinating governing body for the County. The Community Development Commission (CDC) currently serves as the lead agency. In addition, the Home Sonoma County Technical Advisory Committee (TAC) was formed to serve as an advisory body to the LC. The LC began meeting in mid-2018 and disbursed \$14 million in state and federal funding for homelessness-related services in 2019. On the advice of the TAC, the LC subsequently adopted a Coordinated Entry System (CES) for making assessments and decisions regarding both shelter and permanent housing.

Finding safety and security in groups, many homeless people form encampments throughout Sonoma County. The largest and most visible of these was the Joe Rodota Trail (JRT) encampment in 2019, but many encampments had formed and disbanded in earlier years.



Joe Rodota Trail (JRT)

Examples include “Camp Michela” in the Roseland neighborhood, “Homeless Hill” near Farmers Lane, and a sidewalk encampment in the 6th Street undercrossing of Highway 101. Other homeless encampments formed in Guerneville, Cloverdale, and Glen Ellen.



Sixth Street Undercrossing

METHODOLOGY

This is a self-initiated investigation by the 2019-2020 Sonoma County Civil Grand Jury.

The Grand Jury interviewed 18 key leaders involved in the homelessness crisis in Sonoma County. The interviewees represented law enforcement, appointed and elected officials, governmental department heads, homeless service providers and formerly homeless individuals.

The Grand Jury attended Board of Supervisors meetings (in person or through streaming video) when homelessness was on the agenda. Additionally, the Grand Jury obtained data from the sonomacounty.ca.gov website, including data from the many departments tasked with addressing homelessness.

The Grand Jury also reviewed a variety of documents, listed in the bibliography.

DISCUSSION

The County of Sonoma and the City of Santa Rosa have a history of generating plans and funding programs meant to address homelessness. Each plan lays out a strategy for funding various programs intent on improving the homeless condition. The U.S. Department of Housing and Urban Development (HUD) Housing First model is intended to place individuals into stable accommodations — a condition from which other problems can then be more easily addressed. This policy has been adopted as the guiding policy within the County. Less clearly addressed is the question: “What do we do about the 2,000 people who are unsheltered tonight?” Despite these plans and programs, from 2016 through 2019, about 2,000 in Sonoma County have remained without shelter every night. This problem needs to be addressed forcefully to avoid the establishment of more homeless encampments like the one on the Joe Rodota Trail.

The JRT Encampment and the County's Response

Homeless encampments existed in Santa Rosa and elsewhere in Sonoma County before the JRT encampment. However, the JRT encampment serves as a perfect example of a flawed planning process and a response hampered by the realities of politics.

The JRT encampment was the largest and the most visible, with its lengthy array of tents and makeshift shelters easily seen from Highway 12. It was adjacent to private housing on the South, just beyond a fence delineating the trail boundary. For the homeless residents, the JRT was complicated and very difficult to manage. The trail is part of the County Parks system, and Park Rangers have legal authority to control the area, but policing is not their primary function or training. As a result, enforcement eventually fell to the Santa Rosa City Police Department and to a lesser extent, the City Fire Department. While many residents of the trail came to the site seeking mutual protection, many felt that they and their belongings were unsafe.

By the fall of 2019, the homeless encampment on the JRT had grown to over 250 people. In December, amid a great deal of media coverage and pressure from neighbors and the general public, the Board of Supervisors (BOS) declared an emergency and directed staff to quickly present plans to clear the trail. On December 23, 2019, County Department of Health Services (DHS) and the CDC presented their plan to the BOS. In a special meeting to address the JRT crisis the BOS approved plans that redirected over \$12 million from the general fund and reallocated grant funding to construct 60 individual shelters at Los Guilicos, purchase two homes and enter into lease agreements for two additional facilities. The BOS also issued a Request for Qualifications (RFQ) for at least two new indoor/outdoor temporary shelters and directed staff to prioritize the establishment of shelters, along with low-barrier navigation centers and outdoor shelter alternatives. Indoor/outdoor shelters provide a safe, supported environment with options for those homeless people who are not able to transition to indoor living arrangements. Additionally, the BOS increased funding to hire seven full-time caseworkers in DHS.

The BOS actions represented a series of reactive responses to the JRT crisis. As of the publication of this report, the results of those actions are:

- Sixty tiny shelters at Los Guilicos
- Purchase of two houses
- Seven additional full time DHS caseworkers
- Early occupancy of 19 homeless in ten (10) former FEMA trailers located on the Sonoma County Fairgrounds.

Subsequently, the Leadership Council cut previously approved funding for homeless support organizations by 34% due primarily to projected reductions in state funding. The Grand Jury could not confirm that the reduced funding was a direct result of the JRT mitigation measures.

Public awareness, neighborhood pressure, extreme visibility and the sheer extent of the JRT encampment made it a high-profile case demanding a rapid response. There were, however, further impediments to simply clearing the trail and dispersing the campers. In July 2018, Santa Rosa and Sonoma County reached an agreement with the homeless rights activist group, *Homeless Action!* The resulting 12-month temporary injunction, now renewed to the end of 2020, specifies a series of steps required before relocation can be undertaken. This injunction was based upon the October 2018 decision by the U.S. Court of Appeals for the Ninth Circuit in

the *Boise* case, which held that it constitutes cruel and unusual punishment under the U.S. Constitution to arrest homeless people living on public land without first offering them alternative housing. Consistent with *Boise*, a requirement of the injunction is that adequate shelter must be offered before relocation occurs. The agreement also recognizes that barracks-style placement is not appropriate for all homeless people. In addition, safe storage of possessions of the displaced individual must be provided and other needs accommodated.

Housing First and the Coordinated Entry System

While the Joe Rodota Trail injunction requirements were in large part reflected in the preexisting encampment closure policy of the City of Santa Rosa, compliance with them in the context of the JRT highlighted weaknesses in the City of Santa Rosa and County of Sonoma homelessness programs. Some of the weaknesses are due to the Housing First model and the Coordinated Entry System (CES), which Sonoma County is required to adopt in order to receive federal and state homelessness funds. Almost all of the funds for direct support of homeless programs in Sonoma County originate from federal and state sources.

Housing First

California law SB 1380 requires all state-funded housing programs to adopt Housing First. Originally developed in New York City in 1992, the Housing First model was intended to replace the “staircase” model in use at that time in which an individual graduates from the street to a temporary shelter, to transitional housing, and finally to permanent housing. The model had limited success for those with psychiatric diagnoses, especially those with co-occurring addictions. Many participants left the program or were evicted because they could not comply with the strict rules and treatment requirements or became “stuck” and unable to advance to the next step. They were expected to be perfect citizens rather than ordinary citizens. In contrast, housing provided “first” rather than “last” as in the staircase model, was found to be more effective. The Housing First approach asserts that a homeless individual’s primary need is stable housing, without regard to substance abuse or other problems, and that, once settled, they are more amenable to accepting services and treatment. Although now practiced in several other countries and supported by copious research, it does have its detractors. Some object to providing government benefits to those who have not proved themselves deserving. Others point to the severe shortage of housing in general as an impediment to success. Without available housing stock or appropriate shelter, homeless people continue to wait on the street.

Coordinated Entry System

The Coordinated Entry System (CES) is a computerized uniform information gathering system, administered by the CDC to identify homelessness history, special needs and determine a vulnerability index. CES is a County-mandated component of the Housing First policy. The coordinated entry process, created originally for making permanent housing decisions, is also used in Sonoma County to make temporary shelter admission decisions.

Additionally, the CDC implemented the use of the Vulnerability Index Prioritization Decision Assistance Tool (VI-SPDAT) within the CES to help prioritize shelter placements. The VI-SPDAT identifies the most vulnerable individuals and prioritizes them for immediate shelter placement. Unfortunately, the most vulnerable are, in many cases, also the most problematic in a multi-occupant shelter environment. Interviews with providers indicated that shelter staff became

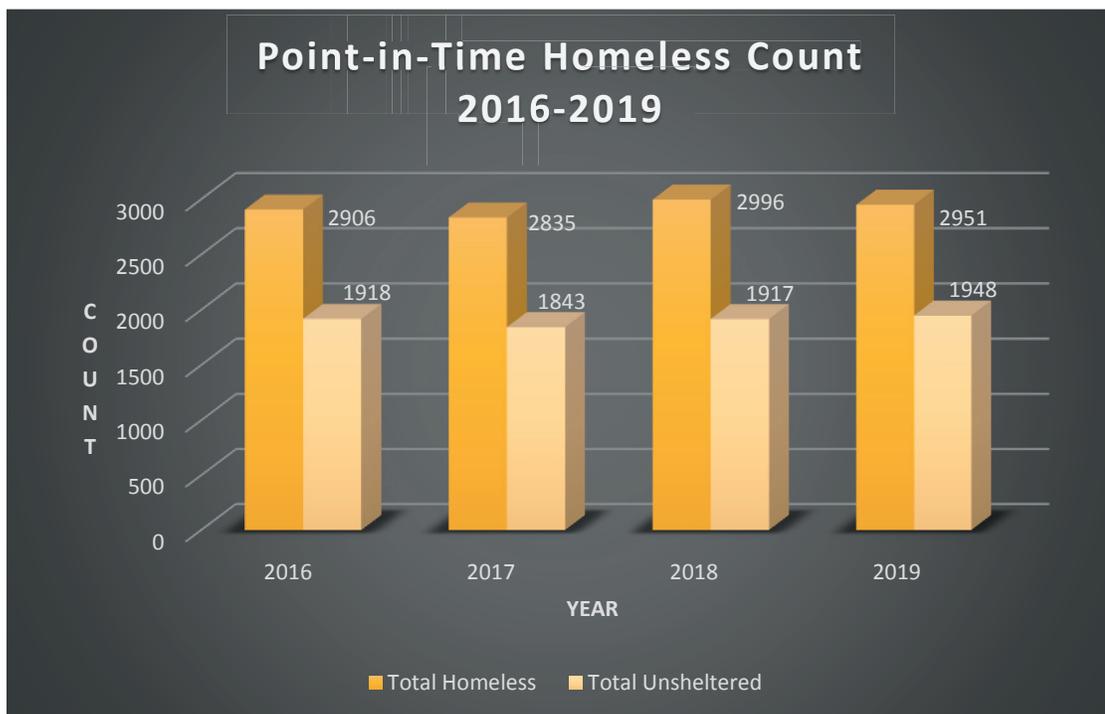
overwhelmed after the implementation of this policy. In addition, with limited shelter options, women, children and LGBTQ+ could potentially be placed in unsafe environments. In 2019, the Leadership Council (LC) modified their interpretation of the CES requirement, allowing shelter applicants direct admission to 50% of shelter capacity, bypassing the CES and VI-SPDAT process entirely.

While this compromise may relieve the stress level of shelter staff, and create a safer environment, it also leaves many of the most vulnerable without appropriate shelter. The prevailing opinion among providers is that the problems with CES and the VI-SPDAT are due to the lack of available shelter options, not the placement protocols themselves.

A related problem associated with CES is that at current staff levels there are not enough outreach workers to assess the homeless where they live. Through the Homeless Outreach and Stabilization Transition (HOST) teams, the homeless can apply for housing or other services from organizations such as the Homeless Services Center in Santa Rosa or Mary Isaak Center in Petaluma. Unfortunately, HOST is significantly understaffed to serve a population of approximately 3,000 homeless residents dispersed throughout Sonoma County.

Who are the Homeless?

Every year during January or February, the County contracts with Applied Survey Research (ASR) to conduct a one-day census followed by a weeks-long survey of the homeless, known as the Sonoma County Point-in-Time count (PIT). Similar surveys are conducted at the same time throughout the United States. Data for Sonoma County from 2016 through 2019 showed a population of approximately 3,000 homeless individuals — 2,000 of whom were unsheltered in encampments, vehicles, abandoned buildings and on streets and roadsides. Eighty-five percent of the 3,000 reported that they were residents of Sonoma County prior to becoming homeless.



Adapted from ASR data

The total homeless population and the total unsheltered population remain consistent over the four-year period, as shown above. It is important to note that the homeless population is not monolithic, but consists of several subpopulations with distinctly different needs. Subpopulations in the PIT report include veterans, families, youth, LGBTQ+, older adults, unaccompanied children and the chronically homeless.

The Chronically Homeless Population

This last group comprises individuals with one or more disabling conditions who have been continuously homeless for one year or more or have experienced four or more episodes of homelessness within the past three years. Among some of the sickest and most vulnerable, averaging over those years, 45% of chronically homeless persons reported one or more disabling conditions:

- Physical or developmental disability
- Mental illness
- Alcohol or drug abuse
- Chronic health problems

Public opinion of the homeless is as varied as the homeless population. Some researchers describe the public perception as love-hate: sorrow and pity along with anger and fear. Compassion is common; many see the homeless as unlucky and simply unable to afford housing in Sonoma County through unemployment or underemployment, illness, or other personal difficulty. Others classify the homeless as outsiders, shiftless, mentally disturbed, addicted, and inherently dangerous. Not surprisingly, proposed solutions and remediation to this seemingly intractable societal issue are varied as the homeless themselves. Limited funding and differing approaches on how to spend it effectively complicate the issue further. The need for temporary shelter versus permanent housing is debated; some would place an emphasis on prevention by aiding the near homeless, the short-term homeless or specific subgroups. Still others would direct funding to the roughly 10-30% of the homeless community, the chronically homeless, who are responsible for the overwhelming majority of the negative societal impacts attributed to the homeless community at large. Detox centers and facilities for treatment of addiction and mental illness are severely lacking, even for those with private insurance. The estimated annual cost for someone to remain chronically homeless ranges from \$60,000 to \$100,000, mostly due to Emergency Room visits, hospitalizations, and involvement with the criminal justice system. (In Reno, Nevada, one homeless man famously ran up a total of \$1,000,000.) According to at least one researcher, a person could be housed and provided intensive supervision and guidance for much less than half the above range. The savings could then fund other services for the homeless. Helping a few people a lot is more cost-effective when directed at the few who account for most of the monetary and social costs. This perspective faces resistance from both sides of the political spectrum: the left view the calculus as a cold cost-benefit analysis while the right resent the idea of special treatment for those whom they perceive as undeserving.

Doing nothing is the most expensive option.

Who Provides Services to the Homeless?

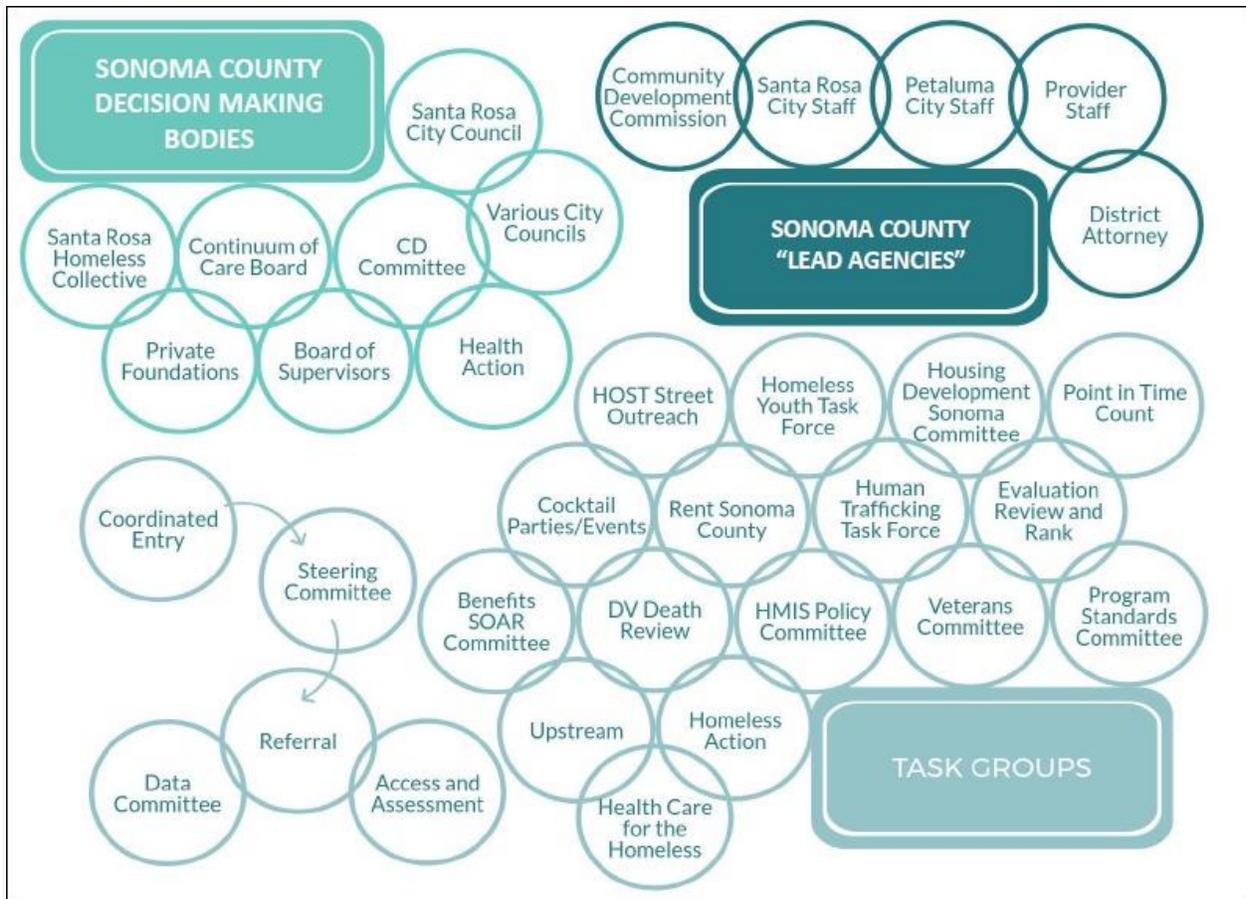
Homelessness in Sonoma County is a multi-jurisdictional challenge. The County's CDC is the core agency providing support and grants to the nonprofits that directly provide shelter and services. Other County departments are involved, including the Department of Health Services, the District Attorney, the Sheriff, and Public Works. The City of Santa Rosa Housing and Community Services Department, Police Department, and Fire Department work with homeless policies and services in the City of Santa Rosa. Unless otherwise stated, this Report did not consider other cities in Sonoma County.

The County and the Cities do not operate most services directly to the homeless. Rather they manage the funding and oversee contracted not-for-profit organizations that provide homeless services. The major service providers in the County and cities of Santa Rosa and Petaluma are Catholic Charities and the Committee on the Shelterless (COTS). Many other organizations play smaller but important roles. The services provided include shelter, meals, tenancy counseling, and casework.

The recent introduction of HOST adds caseworker outreach to the homeless living outside of shelters. HOST workers are able to seek out homeless individuals where they are living in camps, cars, parks etc. and link them to the organizations and services that can benefit them. Highly trained professionals have the skills and expertise required to assess individual needs and deliver targeted help appropriate to the individual. Prior to the JRT crisis, Santa Rosa funded only five HOST caseworkers through Catholic Charities, to serve the homeless in the urban core. At the December 23, 2019 BOS meeting, seven additional full-time positions at the Department of Health Services (DHS) were authorized to provide additional homeless services. Although a good start, a larger team of skilled caseworkers is critical to the success of any program tasked with reducing homelessness.

How Are Services to the Homeless Organized?

The 2016-2017 Sonoma County Civil Grand Jury investigated the homelessness emergency in the City of Santa Rosa and recommended better cooperation between the City and County in tackling the housing crisis. On November 7, 2017, the Sonoma County Board of Supervisors and the Santa Rosa City Council held a joint meeting to discuss the local system of care for homeless individuals and families in the County. They reviewed recommendations from a report commissioned by the CDC assessing the current state of homeless systems of care. The report found the systems to be highly fragmented, with uncoordinated decision-making, a lack of an overall vision and an isolated understanding of funding among the organizations that comprise the system. The Homeless System of Care Redesign Ad-Hoc Committee was created because of this meeting in order to develop guidance and recommendations for a new homeless leadership group. This Ad-Hoc Committee recommended change, starting with the implementation of a new decision-making group that would oversee and direct County efforts to combat homelessness. This decision-making group became the Leadership Council.



The “Old” Homeless Support Organization, pre-2017
 Source: County of Sonoma Agenda Item Summary Report – 10/9/2018

The Leadership Council and Technical Advisory Committee

In November 2018, the County Supervisors and Santa Rosa and Petaluma City Councils created the Home Sonoma County Leadership Council (LC), a nine-member group with representatives from governmental and other homeless related organizations. The LC was tasked to “own” the homelessness problem and develop budget and policy initiatives.

The LC is a high-level policy making organization and follows the Housing First guidelines mandated by the State of California and federal HUD funding. The nine members of the LC include two County Supervisors (at least one of whom must represent a rural area), two Santa Rosa City Council Members, one Petaluma City Council Member, and four individuals who are involved in service to the homeless population and are members of the Technical Advisory Committee (TAC). All members serve two year terms; some flexibility in LC composition is possible. In accordance with the Brown Act, meetings of the LC are required to be open and regularly scheduled.



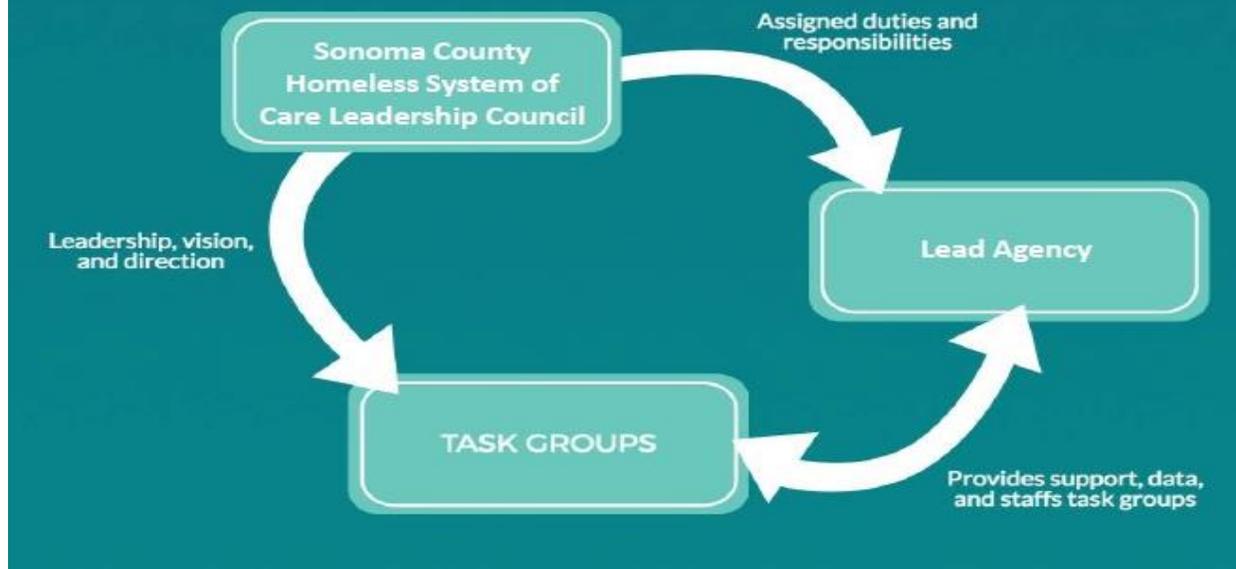
Source: County of Sonoma Agenda Item Summary Report – 10/9/2018

The Technical Advisory Committee (TAC), created in conjunction with the LC, is also part of the homeless system of care and serves to advise and support the LC. The TAC is a research and recommendation body consisting of 25 members. In accordance with HUD regulations, TAC members include non-elected government officials, representatives of service organizations and community resources, homeless advocates, and formerly homeless individuals. Appointment to the TAC is by individual application, with final approval by the LC. Members of the TAC must serve on at least one of six Task Groups dealing with:

- Coordinated Entry and Housing First
- Performance Measurement and Evaluation
- Data Initiatives
- Housing Unit Production/Rapid Rehousing
- System Funding
- Emergent Issues

The TAC's responsibilities include representing the larger community in advising the LC, expediting and optimizing housing activities, and recommending best practices to implement and evaluate homeless programs.

SONOMA COUNTY HOMELESS SYSTEM OF CARE



Source: County of Sonoma Agenda Item Summary Report – 10/9/2018

Success of the LC in the First Year

The LC held its first public meeting in December 2018. They met monthly until April 2019, when the LC allocated its Continuum of Care (CoC) funding to homeless service providers. After April, the LC met only every two months because there were no additional funds to distribute.

As described in their mandate, the duties of the LC include:

- Serve as Sonoma County’s Housing Urban Development (HUD)-required Continuum of Care (CoC) Board
- Support the vision and principles of the Sonoma County Homeless System of Care
- Own the issue of homelessness within Sonoma County and be widely recognized as the owner of the issue
- Provide the leadership required to realign homelessness-related funding and policies throughout Sonoma County
- Approve and monitor standard performance outcomes
- Approve the submission of applications to Notices of Funding Availability published by HUD
- Establish policy related to achieving functional zero homelessness (rehoused within 30 days after becoming homeless) in Sonoma County
- Establish Sonoma County’s homelessness funding priorities and make funding-related decisions

During its first year the LC:

- Allocated \$14 million in CoC funds (essentially directing federal and state funding)
- Received reports evaluating the Coordinated Entry System (CES) and the use of the VI-SPAT in the CES, and containing interim governance recommendations
- Approved changes to the CES to allow 50% of shelter admissions to be direct rather than via the CES (see discussion above)
- Approved changes to the governance of the LC and the TAC
- Initiated a strategic planning process for future improvements to the LC

Despite the actions described above, the LC's lack of response to the Joe Rodota Trail encampment suggests that the LC did not initially embrace the more comprehensive role of "owning" the issue of solving homelessness. The Leadership Council never discussed a strategy to address the encampment on the JRT prior to its December 2019 meeting, even though Sonoma County and the City of Santa Rosa agreed to a federal court injunction governing encampment closures in June 2019. Meanwhile, the JRT population expanded dramatically from July to December of 2019. At a September 2019 LC meeting, a suggestion to develop an encampment policy first arose as part of a strategic planning conversation. However, the JRT crisis was not discussed at the LC until the December meeting, at which it approved the re-allocation of \$220,000 to efforts on the Joe Rodota trail. The LC met only bimonthly during this time; their level of concern did not seem to dictate additional or special meetings. During the course of this investigation, several interviewees characterized the LC and TAC as inefficient, ineffective, understaffed, and slow to act.

Although the LC was created to take charge of the homeless crisis and direct a countywide response, the LC membership was not geographically diverse enough to represent the different constituencies in the County. Additionally, the LC was not given adequate staff resources to function well within the Brown Act requirements for public meeting scheduling and notifications. Policies governing certain important actions, such as clearing an encampment like the JRT, remain in exclusive control of the BOS, whose members are often conflicted between serving their district constituents and serving the County as a whole.

Funding Impediments to Providing Services

Homeless funding from the State is unpredictable and contingent on the condition of the State's most recent budget. Additionally, the distribution of federal funds may be subject to political constraints. It is not possible to build and sustain a robust and effective program to combat homelessness without a secure, predictable, ongoing source of funding. Whatever the source, it must be dedicated and include stringent oversight in order to avoid the "enact and forget syndrome." As an example of this syndrome, the 1967 legislation known as the Lanterman-Petris-Short Act provided funds to depopulate state mental hospitals in favor of community-based facilities and local treatment programs. Few of these funds materialized and the money was diverted to state budgets. Many of the released patients became homeless because the community-based programs meant to care for them were underfunded.

NIMBY-ism

Another impediment to solving homelessness is the public resistance known as NIMBY (Not In My Back Yard), defined as a person who objects to the siting of something perceived as unpleasant or potentially dangerous in their own neighborhood, such as a landfill, hazardous waste facility or homeless shelter, while raising no objections to similar developments elsewhere. In order to provide adequate shelter and services for homeless individuals, governing bodies must be able to set aside pressure from NIMBY groups and make the selections regarding homeless shelter sites and services based on what best serves the homeless community.

Indoor/outdoor shelters could house many of the approximately 2,000 unsheltered homeless at the Fairgrounds, at the County Center complex, or at a number of other locations. The State of California delivered six mobile homes (from FEMA) to Sonoma County in January of 2020. Additionally, as of June 2020, over 50 trailers sit unoccupied on the Sonoma County Fairgrounds back lot. It remains unknown to this Grand Jury why these trailers have not been offered for use by the homeless, even though space and utilities currently exist at several locations.



Unoccupied trailers stored between horse stalls at Sonoma County Fairgrounds

Several possible shelter sites, with the exception of Los Guilicos, have yet to be approved by district-elected Supervisors. One day, after we get through the current COVID-19 crisis, the BOS and LC attention will return to solving the homeless crisis. Whichever governing body is tasked

with selecting homeless shelter sites must be able to set aside pressure from NIMBY groups and make the selections based on what best serves the homeless community.

In response to community concerns, the BOS promised that the Los Guilicos complex would be removed by April 2020. As of June 2020, Los Guilicos shelters remains occupied, due in part to the COVID-19 Shelter-In-Place order.

Despite their concerns, neighbors adjacent to Los Guilicos delivered significant amounts of food and clothing for the homeless to a local church. Overwhelmed by the largesse, church officials asked for it to stop. An abundance of compassion exists alongside NIMBYism.



Los Guilicos Temporary Shelter

How Much Does Sonoma County Spend on Homelessness?

The Grand Jury attempted to answer this question, but found there is currently no mechanism in place to provide even a rough estimate. While the homeless population remained static over the past four years, there is no way of knowing whether costs rose or fell over that period. Without a means of tracking expenses, it is also difficult to evaluate the success of programs. Some expenditures are clear: state and federal grants that support homeless services and are administered by the County or specific budget items in County and municipal budgets are available. Indirect spending by County and city agencies is more difficult to quantify. For example, police interactions that involve a homeless person may involve a short conversation or a long and complex interaction involving several officers and other support staff. Other services such as fire, medical emergency or mental health find it difficult or impossible to attribute specific costs to homelessness. They consider the costs part of their normal services to the public.

CONCLUSION

Over the past eight months, our research into Sonoma County homelessness has exposed an insufficient sense of urgency when it comes to providing adequate temporary and permanent housing for the homeless community. Safe, temporary housing options for the homeless are largely unavailable while they wait for permanent housing. Santa Rosa owns a shelter in Sonoma County called the Samuel L. Jones Shelter, but the barracks style accommodations are not appropriate for everyone. Even though there are other shelters in Sonoma County, a significant portion of the homeless population feel they have no viable option but to live on the street or public property while waiting. Sonoma County has a robust network of private, public, and community/religious based organizations that are dedicated to improving the lives of the homeless, but temporary shelter options remain critically limited.

There is a strong need for leadership in the county to address the homelessness crisis. On paper the Leadership Council is described as a high-level policy making body. It played no role in developing policies or procedures to address the JRT problem. The County Board of Supervisors (BOS) did take action to resolve this crisis, but did not include the Leadership Council in its efforts. When the BOS did act, it did so in a reactive, rather than a proactive way. Prior to the JRT emergency, the BOS had no plan in place for addressing encampment emergencies, or the shelter and service needs of the homeless population in Sonoma County as a whole.

COMMENDATIONS

The 2019-2020 Sonoma County Civil Grand Jury wishes to acknowledge that government agencies and service providers have strived to improve services for the homeless.

In addition, the Grand Jury specifically commends:

- C1. Sonoma County and the Cities of Santa Rosa and Petaluma for creating the Leadership Council when they did and as they did. While the LC was created more quickly than desirable in a perfect world, there was a need to act quickly in order to continue to obtain federal Continuum of Care (CoC) and state funds.
- C2. The Leadership Council for changing the Coordinated Entry System to allow 50/50 shelter admissions.
- C3. The County for putting the Department of Health Services (DHS) and the Community Development Commission (CDC) under single leadership in January 2020. This connection of services for the same homeless population should make communication and coordination more effective and efficient than it was under the previous separation of programs.
- C4. The County for opening the temporary indoor shelter, with a navigation center, at the Los Guilicos site.

FINDINGS

- F1. The absence of a sufficient number of temporary shelters, including support services, is a primary factor in the consistently high number of unsheltered homeless in Sonoma County.
- F2. For temporary shelter sites to adequately meet the needs of homeless individuals, temporary shelters must be geographically dispersed and designed to encompass the needs of different target demographics such as families, mentally and physically disabled and LGBTQ people.
- F3. In dealing with the Joe Rodota Trail encampment crisis, the Sonoma County Board of Supervisors did not follow a strategic planning process.
- F4. Sonoma County does not yet have a countywide plan to address future homeless encampments.
- F5. Because the Department of Health Services and the Community Development Commission were not, until January 2020, under single leadership, there was a lack of coordination of housing and supportive services.
- F6. Currently, short-term federal and state block grants provide the majority of funding for homeless programs.
- F7. The County has no method to track local funding for homelessness services. It therefore, has no metric to determine the effectiveness of these funds in reducing homelessness.
- F8. The Leadership Council played no role in developing policies or procedures to respond to the Joe Rodota Trail crisis.
- F9. The fact that the Leadership Council does not include members from all cities in Sonoma County limits its ability to develop policies on a truly County-wide basis.
- F10. Neither the Leadership Council nor the Technical Advisory Committee has the resources necessary to adequately address the homeless crisis in Sonoma County.

RECOMMENDATIONS

The Sonoma County Civil Grand Jury recommends that:

- R1. The Sonoma County Board of Supervisors direct the Leadership Council to develop policies and procedures to manage the homeless crisis on a Countywide and strategic basis by December 31, 2020. (F1, F2, F3, F4)
- R2. The Leadership Council develop and implement a strategy for funding appropriate shelter space that addresses the needs of sub-groups within the homeless community by December 31, 2021. (F1, F2, F3, F9)
- R3. The Leadership Council adopt a plan to deal with homeless encampment emergencies by December 31, 2020. (F9, F10)

- R4. The Sonoma County Board of Supervisors develop a funding source for consistent and predictable funding of homeless programs by December 31, 2021. (F7)
- R5. The Department of Health Services and Community Development Commission remain under single leadership. (F6)
- R6. The County of Sonoma Board of Supervisors direct the County Administrator to develop a methodology for tracking all costs of homeless services and programs across County agencies by June 30, 2021. (F8)

REQUIRED RESPONSES

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

- Board of Supervisors (R1, R4, R5, R6)
- Leadership Council elected representatives (R2, R3)

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

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GLOSSARY

- ASR Applied Survey Research
- CDC Community Development Commission
- CES Coordinated Entry System
- CAO County Administrative Office
- CoC Continuum of Care
- COTS Committee On The Shelterless
- DHS Department of Health Services
- FEMA Federal Emergency Management Agency
- FJC Family Justice Center
- HEAP Homeless Encampment Assistance Program
- HMIS Homeless Management Information System
- HOST Homeless Outreach Stabilization and Transition
- HUD House and Urban Development
- JRT Joe Rodota Trail
- LC Home Sonoma County Leadership Council
- NIMBY Not In My Backyard
- PIT Point-In-Time
- VI-SPDAT Vulnerability Index Prioritization Decision Assistance Tool

Emergency Water Shortages in Sonoma Valley

The Situation Has Worsened

SUMMARY

A year ago, the Sonoma County Civil Grand Jury investigated how an earthquake could impact water supplies in Sonoma County, and made six recommendations to reduce risks for residents. In responding to those recommendations, two Sonoma Valley water agencies reported that their customers are potentially affected by recent changes at the Sonoma Developmental Center. The Valley of the Moon Water District said its customers are at a greater risk in an emergency now than a year ago. The City of Sonoma said its plan to increase water supplies during shortages has been blocked. The 2019-2020 Grand Jury decided to investigate these concerns and concluded that two separate issues were involved: water for emergencies is considered in this report, and the need for a regional approach to water concerns is studied in a companion report.

The Valley of the Moon Water District reported that the shutdown of the water treatment plant at the Sonoma Developmental Center has had negative consequences, reducing emergency preparedness and increasing risks for its customers. The 2019-2020 Grand Jury's investigation confirms that those concerns are valid. The Valley of the Moon Water District is notably impacted because it essentially surrounds the Sonoma Developmental Center site and may eventually become the area's water supplier. The Grand Jury recognizes that, while the City of Sonoma emergency water plans were not immediately affected by the Sonoma Developmental Center shutdown, it would be prudent to continue its search for water supply improvements.

Closing the Sonoma Developmental Center water treatment plant may or may not have been a good decision. There were reasons to shut it down, but what was missing was a fuller appreciation of how that would affect emergency preparedness for the Valley of the Moon Water District and throughout Sonoma Valley.

The Valley of the Moon Water District is working on solutions to the consequences from the shutdown. The Grand Jury has explored what further options might be beneficial. Its recommendations include: mutual aid with the Sonoma Developmental Center, water distribution management, reduction of demand during emergencies, emergency water sharing with the City of Sonoma, expansion of groundwater supply, additional water storage, leakage reduction, and conservation, although some of these are long-term projects.

The Valley of the Moon Water District confronts a formidable list of problems and uncertainties that affect its own planning as the County carries out the planning process (the SDC Specific Plan) for the Sonoma Developmental Center site. Please see the companion Grand Jury report *Sonoma Valley Regional Water Resources* for more detail.

BACKGROUND

Communities in Sonoma Valley source their water from surface and groundwater resources throughout the Valley, but these would not be enough to sustain the current population without importing additional water from the Russian River. During an emergency, these communities may not be able to count on those resources.

Major Water Suppliers in Sonoma Valley

Water resource planning, development, and use take place primarily through four local agencies, all of which interact in one way or another: the City of Sonoma, the Valley of the Moon Water District (VOMWD), Sonoma Developmental Center (SDC) and Sonoma Water. A map of the major water interests in Sonoma Valley appears as Figure 1 in the companion report *Sonoma Valley Regional Water Resources*, along with detailed descriptions of each of them.



Sonoma Water “Eldridge” storage tanks at Sonoma Valley Regional Park

Water for Emergencies

Cities and water districts work constantly to minimize the risk of disruptions to the water supply during emergencies. The 2018-2019 Sonoma County Civil Grand Jury studied how well the water agencies are prepared for a major earthquake. The report of that investigation focused on potential disruptions to the aqueduct system that delivers water from the Russian River. It concluded “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.” Then it issued six recommendations for improvement. One asked water

contractors, including the Valley of the Moon Water District and the City of Sonoma, to study how they could make their local systems more adaptable under emergency conditions.

All of the water contractors responded that they have been studying options; some said they were already implementing the Grand Jury recommendations. However, the VOMWD responded that its emergency preparedness plans suffered when the SDC closed its water treatment plant in September 2019. The VOMWD said that the SDC water plant shut-down meant the VOMWD could have as little as a one-day supply of drinking water in the event that an emergency put the aqueduct out of commission.

In 2002 the SDC and the Valley of the Moon Water District agreed to provide mutual aid during emergencies, transferring backup water through a piping connection established for that purpose. When the SDC stopped treating water in 2019, it was no longer able to meet its obligation under the agreement from its own resources or maintain the resiliency that comes from having water from different sources, i.e., surface and groundwater. The loss of this potential emergency back-up supply puts the people served by the VOMWD at greater risk of water disruption than before. Managers at the VOMWD relied on emergency water from the SDC for their contingency plan.

The City of Sonoma also reported potential impact from the decision to close the SDC treatment plant. It had considered a cooperative agreement to supplement its well water supply with surface water sources, such as those at the SDC.

METHODOLOGY

This investigation stems from a report by the 2018-2019 Civil Grand Jury on how an earthquake could affect our water supply. The responses to recommendations made in that report raised concerns about possible consequences of the closure of the SDC water treatment plant with respect to emergency preparedness.

The Grand Jury held interviews with:

- Representatives of Sonoma Water, the Valley of the Moon Water District, and the City of Sonoma.
- Representatives of Permit Sonoma, fire agencies, and the California Department of General Services.

The Grand Jury reviewed and evaluated a wide range of sources:

- 2018-2019 Civil Grand Jury report *Will There be Water After an Earthquake?* and responses thereto.
- A variety of maps, studies, contracts and planning documents relating to the water resources of the Sonoma Valley.
- Technical documents dealing with water sourcing, storage, distribution and use under normal conditions and in hypothetical and real emergencies.
- Reporting in the local media, including *The Press Democrat* and *The Sonoma Index-Tribune*.

- The Grand Jury toured the Sonoma Developmental Center site, including the water treatment plant, pumping stations, lakes, and storage tanks.

DISCUSSION

When the Sonoma Developmental Center (SDC) closed, its substantial water demands and independent water supply were interrupted. A new SDC Specific Plan for the site is due to be adopted in December 2021, and it will establish a clearer understanding of how redevelopment is going to affect water resources and their management. Meanwhile, this uncertainty affects the operations and plans of existing water suppliers in Sonoma Valley, most notably the Valley of the Moon Water District (VOMWD).

Emergency Water Issues and Remediation

A water emergency occurs when there is not enough water, at sufficient pressure, to supply necessary uses. While fires and earthquakes are likely causes in our area, there can be others, such as equipment failure or depleted water reserves. Water storage, reserve capacity, and multiple supply sources are ways to increase resilience for emergencies.

Guidance for emergency preparedness comes from the *Restructured Agreement for Water Supply*, which is the current contract between Sonoma Water and its water contractors governing the water delivered through the Sonoma Aqueduct. The Restructured Agreement recognizes that adverse events can occur, including disruption of water flow in the Sonoma Aqueduct, and therefore “it is highly desirable that each Water Contractor achieve and maintain local water production capacity capable of satisfying approximately forty percent of the Water Contractor’s average day of the maximum month demand.” Evaluated against this guideline, the goal for the Valley of the Moon Water District is about 700 gallons per minute (gpm). Until recently, the VOMWD could draw on emergency water sources, including mutual aid through an agreement with the SDC, to meet this standard.

The California Department of General Services (DGS) is now administering the SDC site through a three-year period while the SDC Specific Plan is being developed. SDC operations scaled back as the site’s population shrank; less water was needed and the water treatment plant’s operations were reduced. A facility capable of processing 1.8 million gallons a day was soon cut back to 40,000 gallons a day, which meant neither the plant nor its personnel could be used effectively. Staff members resigned or opted for early retirement. Facilities that process water for human consumption have strict staffing requirements. In August 2019, SDC received a citation,



SDC Water Treatment Plant

along with fines and mandated corrective action, from the California Water Resources Control Board, Division of Drinking Water, for failure to have a Chief Operator for June and July 2019, for failure to have a certified plant operator, and failure to have a certified distribution operator. As DGS was no longer able to retain staffing to meet mandated standards, the decision was made to shut down the water treatment plant. (*see Appendix*).

The Sonoma Developmental Center is now totally dependent on outside agencies for its drinking water supply. From time to time, starting in 1964, Sonoma Water has provided its water, which is how the facility is meeting its needs now. Sonoma Water has become the sole source of water for the SDC. The SDC has no emergency supply for potable water, unless it comes from the VOMWD through a mutual aid agreement.

These emergency supply deficiencies are ongoing until further action is taken. The Grand Jury's investigation therefore considered what options may be available to the VOMWD and to the SDC to mitigate the problem.

Firefighting from Reservoir Storage

The SDC site has two reservoirs where water from local creeks is stored, used until recently as feedwater for the water treatment plant. In a fire emergency, water from those reservoirs can be used to fight fires by helicopter or through hose lines to fill tanker trucks. The water is not treated and cannot feed the SDC water mains.

Emergency Water Loan

In 2002, the Sonoma Developmental Center and the Valley of the Moon Water District joined in a mutual aid agreement to loan water to each other as needed during emergencies, up to 500,000 gallons a day. This agreement has been in place for nearly two decades and it remains a valuable feature in the emergency preparedness plans for both the VOMWD and SDC. The fact that the two entities relied on both groundwater and surface water increased resiliency and the probability that water would be available in an emergency. Now that the SDC has no water source of its own and relies solely on Sonoma Water, the intertie with the VOMWD is the only other way to supply its water mains.

With the exception of the SDC, all the major water suppliers in Sonoma Valley participate in the California Master Mutual Aid Agreement, developed under the California Emergency Services Act (1970). The terms and conditions of those contracts are similar to what is found in the agreement between the VOMWD and SDC.

The closing of the water treatment plant at SDC is what triggered the Valley of the Moon Water District's concern. The VOMWD relied on the availability of SDC water during the SDC Specific Plan process and did not anticipate that the shutdown would come so soon; they were therefore unprepared to offset the resulting loss. The SDC water storage tanks hold only a minimum level of water to provide pressure for local use and limited fire flow, but could still respond to a request for an emergency water loan, albeit at a reduced level.

Water Distribution Management

The water that Sonoma Water is supplying to Sonoma Developmental Center fits conditions of the Restructured Agreement for a sale to an “Other Agency Customer.” The agreement describes how the Valley of the Moon Water District could exercise an option to replace Sonoma Water as the supplier, and retail the water to SDC itself if the VOMWD is ready and willing to do so. While a change in retailer with single-point delivery might be as simple as a change in paperwork, the SDC and the VOMWD could negotiate an agreement for the VOMWD to manage the SDC water distribution system as well. Coordinated management of SDC’s potable water storage tanks, together with the VOMWD’s own storage capacity and larger water flows, might allow more water to be stored for emergencies, to the potential benefit of both the VOMWD and SDC. A more careful engineering analysis is needed.

Treatment of Surface Water

Surface water was treated for use on site at SDC until recently. The State’s “existing conditions” report says that the SDC property “has both appropriative and riparian water rights [that] provide ample water for any modest future of the property.” Options for restoring surface water treatment are discussed in the Appendix.



Fern Lake

Demand Reduction during Emergencies

In an emergency, water suppliers seek to reduce non-essential consumption as rapidly as possible to prevent unnecessary depletion of storage tanks. Successful demand reduction requires advance preparations, such as informing all customers about emergency water supplies and the restrictions on non-essential use that will be required in an emergency. The VOMWD has not communicated this information to its customers since the closure of the SDC water treatment plant.

Water Sharing during Emergencies

The Valley of the Moon Water District shares similar interests in emergency preparedness with the City of Sonoma. The two service areas are contiguous, with the City limits marking the boundary. There are places where the VOMWD pipes and the City’s pipes approach within a few feet of each other, creating a good opportunity to establish a physical connection between them, ready for emergency water transfers. The two entities could easily set up the infrastructure to share water in an emergency; with a standing mutual aid agreement, unnecessary delays can be avoided.

Supplying More Groundwater from Wells

For the past several years the VOMWD has been investing in a program to develop more well capacity, and it has budgeted to continue those efforts. Municipal wells follow a life-cycle from development through operation and maintenance to eventual retirement. They are subject to many regulatory standards. Well capacity and the number of wells in active service will vary

naturally from time to time. The District has reported various difficulties during the past year, ranging from poor water quality to equipment failures, that reduced the amount of water available from existing wells. The District's well logs for 2019 cover seven wells, two of which were not operational. If run to capacity, the five active wells could deliver about 540 gpm; it is not clear to the Grand Jury how long this output could be sustained.

Well water is the only source of water currently available to the VOMWD other than the Sonoma Aqueduct. Well water helps to meet the demands not only for normal use but also for emergency conditions. The Restructured Agreement suggests maintaining emergency capacity equal to 40% of the average day of the maximum month demand. This is significantly more than utilities typically need for average daily operations, leaving the rest for backup. For the Valley of the Moon Water District, the target is about 700 gpm. With support through the SDC mutual aid agreement, the VOMWD met the recommended emergency capacity. That is no longer the case, now that the SDC water is no longer available.

Well water is also the only source of water currently available to the City of Sonoma other than the Sonoma Aqueduct. Its 2018 Water Master Plan suggests it has enough emergency supply to meet demand for up to two weeks during the loss of the Sonoma Aqueduct. While this analysis suggests the City of Sonoma, unlike the VOMWD, does not currently need SDC water to help in the event of an emergency, the City of Sonoma had begun discussing internally an intertie with the SDC prior to 2017. Such an intertie would have been useful because the SDC has surface water, which would not be disrupted in the event of an earthquake, that might disrupt the City of Sonoma's local well supply as well as possibly damaging the Sonoma Aqueduct. This possibility ended when the SDC water treatment plant closed.

The amount of reserve water storage and well capacity needed for emergencies is a subjective decision about acceptable risk levels, informed by engineering analysis; responding to emergencies requires good general preparation and sound management.

Water Storage Expansion

The Valley of the Moon Water District has 13 tanks with enough total capacity to store more than 5 million gallons of water; this has not changed in the last decade. A more expansive view might include the 8 million gallons in Sonoma Water's nearby tanks, 10 million gallons in Sonoma Water's tanks located in the City of Sonoma and nearly 2 million gallons of potable water storage at SDC. The VOMWD is considering the addition of up to 500,000 gallons capacity in the Glen Ellen area, primarily to accommodate pressure zones and geographic distribution.

At the Sonoma Developmental Center, water from Sonoma Water flows into a large storage tank which feeds the existing SDC distribution system. With up to 500,000 gallons effective storage in the tank, SDC does in fact have a short-term supply of emergency water for its potable water distribution mains. Water storage tanks provide good support for high-flow events like local fires, but for more sustained emergencies such as an earthquake outage, the system requires water from local wells.

Leakage Reduction and Conservation

With many miles of pipe and thousands of connections, leakage is an inevitable problem in a water distribution system, a condition that entails economic costs. In an emergency or drought, leakage also reduces the amount of water available for essential uses. California law requires urban retail water suppliers to submit annual validated water-loss audits to the Department of Water Resources (DWR). The Valley of the Moon Water District and the City of Sonoma reports for 2018, the most recent available, show total system losses for each of about 200 acre-feet per year. That means each supplier is continuously pumping about 125 gallons of water per minute just to feed the leaks. These results do not include leaks inside homes and businesses. The DWR is developing water loss performance standards for urban retail water suppliers, to be released later this year.

Both utilities participate in the Sonoma-Marín Saving Water Partnership and the California Water Efficiency Partnership, and have made important strides in reducing system losses. SDC has not filed leakage audit reports with DWR. This means there are no data available for comparison. The SDC has an aging system with dual piping and more joints, valves, and fittings that can break or leak. The fire department reports pipes bursting during tests. There is good reason to believe that actual system losses are substantial.

CONCLUSIONS

The need for potable water affects everyone in Sonoma Valley, and becomes critical during emergency conditions arising from fire, earthquake, drought or flood. Responses to emergencies and other needs often depend on close cooperation. As conditions change and we need better ways to manage water, we must look for solutions through coordinated planning and operations. This concern inspired the Grand Jury to conduct an additional investigation and issue a companion report, *Sonoma Valley Regional Water Resources*.

The burden of dealing with reductions in its emergency water resources rests heavily on the Valley of the Moon Water District. The VOMWD is also the presumed water supplier for a new Eldridge (the former SDC) within its service area. This presents the VOMWD with planning challenges that involve costs, uncertain liabilities and investments. It is important that the VOMWD participate in the SDC Specific Plan process, and remain flexible in anticipating the future. It is incumbent on neighboring water entities to cooperate with the VOMWD as it seeks and implements solutions.

While the City of Sonoma's emergency water supply plans were not immediately affected by the SDC closure, it too would benefit from access to the surface water supply at SDC in the event of an emergency that compromises the Sonoma Aqueduct or the City's well supply.

FINDINGS

- F1. The decision of California Department of General Services to close the Sonoma Developmental Center treatment plant has impacted emergency water planning in Sonoma Valley.

- F2. The City of Sonoma, Valley of the Moon Water District, and Sonoma Developmental Center would reduce risk by sharing water during an emergency, using existing and easily implemented interconnections.
- F3. The Valley of the Moon Water District's emergency water supply plan, which relied on wells and the mutual aid agreement with Sonoma Developmental Center, is impaired by the reduction in water available from those sources, increasing risks that Valley of the Moon Water District customers will not have sufficient water in an emergency.
- F4. The Valley of the Moon Water District has failed to inform its customers adequately of elevated risks due to deficient local water supplies and reduced availability under the mutual aid agreement with Sonoma Developmental Center.
- F5. The decision to close the water treatment plant at Sonoma Developmental Center impacted performance under the mutual aid agreement between the Valley of the Moon Water District and Sonoma Developmental Center.
- F6. Water production from the Valley of the Moon Water District's wells is falling behind projections.
- F7. The Department of General Services has chosen to purchase water for the Sonoma Developmental Center site from Sonoma Water, rather than continue treating local water for its supply.
- F8. The planning process currently underway for the SDC Specific Plan will impact all Sonoma Valley water agencies.

RECOMMENDATIONS

The Sonoma County Civil Grand Jury recommends that:

- R1. By December 31, 2020, The Valley of the Moon Water District, City of Sonoma, and Sonoma Developmental Center initiate cooperative planning to reduce risk in emergencies, including promptly implementing ways to share existing water resources. (F2)
- R2. The Valley of the Moon Water District evaluate by November 30, 2020 whether District operation of Sonoma Developmental Center water distribution and storage facilities would offset deficiencies in emergency water for both Valley of the Moon Water District and Sonoma Developmental Center. (F5)
- R3. The Valley of the Moon Water District and the City of Sonoma interconnect their distribution systems, and establish an agreement for sharing water during emergencies by December 31, 2020. (F2)
- R4. Sonoma Water, Valley of the Moon Water District, the City of Sonoma, Permit Sonoma, and the California Department of General Services form an agreement by October 31, 2020, that potable water storage facilities at Sonoma Developmental Center shall remain active and available for shared access during emergencies. (F5)

- R5. The Valley of the Moon Water District accelerate its program for expanding well capacity and water storage by December 31, 2020. (F6)
- R6. The Valley of the Moon Water District establish specific emergency water-use restrictions and communicate them to its customers by September 30, 2020. (F4)
- R7. By September 30, 2020, the Valley of the Moon Water District inform customers annually, or when conditions change, regarding risks and deficiencies in the emergency water supply and any actions taken to mitigate them. (F4)
- R8. Permit Sonoma establish, by September 30, 2020, communication with water system managers for the City of Sonoma, the Valley of the Moon Water District, and Sonoma Developmental Center to inform the SDC Specific Plan process. (F8)

REQUIRED RESPONSES

Pursuant to Penal Code § 933.05, the Grand Jury requires responses as follows:

- The Valley of the Moon Water District (R1, R2, R3, R4, R5, R6, R7)
- City of Sonoma (R1, R3, R4)
- Sonoma Water (R4)
- Permit Sonoma (R4, R8)

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

INVITED RESPONSES

The Grand Jury invites the following to respond:

- Director of the California Department of General Services (R1, R4)

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- Sonoma Water documents:
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 - *Water Supplies Action Strategies Plan*, 2018
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- Department of Developmental Services & Valley of the Moon Water District. State of California Standard Agreement #HD179051. *General Scope to provide services to assist SDC with operation of water treatment plant*. January 2, 2018 – November 30, 2020.
- Valley of the Moon Water District documents:
 - *Pumping and Storage Reports*, June 2018 through January 2020
 - Response to 2018-2019 Sonoma Civil Grand Jury, *Recommendation 5*
 - *2015 Urban Water Management Plan*
 - *2019 Water Master Plan*

GLOSSARY

- | | |
|-------------------|---|
| • acre-foot | Acre-foot: 325,851 gallons |
| • DGS | California Department of General Services |
| • DWR | California Department of Water Resources |
| • DDS | California Department of Developmental Services |
| • Eldridge | A postal address and census district that includes both public (SDC) and private properties along Arnold Drive |
| • gpm | Gallons Per Minute |
| • LAFCO | Sonoma County Local Agency Formation Commission |
| • SDC | Sonoma Developmental Center |
| • Sonoma Aqueduct | Water from Sonoma Water - the leg of the aqueduct that supplies water to the City of Sonoma and the Valley of the Moon Water District |

- Sonoma Valley Geographical area stretching from Kenwood through the City of Sonoma and south to San Pablo Bay
- Specific Plan A detailed plan for implementing or modifying the County’s General Plan for land use, in this report the SDC property
- Sonoma Water Previously called Sonoma County Water Agency
- VOMWD Valley of the Moon Water District
- Warm Shutdown A funded three-year process of shutting down operations on the SDC site, beginning July 2019, during which the California Department of General Services would retain staff for the water treatment plant, maintenance, and operations; and work with state, local, and private partners to meet other requirements including fire prevention and suppression
- WQCB California Water Quality Control Board

APPENDIX

Water Treatment Plant

The definitive public report on facilities at the Sonoma Developmental Center is *Sonoma Developmental Center, Existing Conditions Assessment*, August 2018, prepared by WRT (Wallace, Rodgers and Todd). Chapter 4 and Appendix B, *Existing Conditions Report, Hydrology and Site Infrastructure*, include detailed information about the water treatment plant (WTP). The summary says:

The water treatment plant has been carefully maintained over the years. While industry standard practice would have implemented structural upgrades to the WTP over the years, the SDC has maintained the plant commendably and it is still a functioning system that meets state regulations in treatment, monitoring and operations.

Several months before the plant was shut down in September 2019, the California Department of General Services (DGS) entered into a contract with the Valley of the Moon Water District (VOMWD) and paid for certified VOMWD personnel to gain hands-on experience in the plant’s operation, with the presumed intent that they could provide necessary staffing or backup throughout a warm shutdown. The DGS and the VOMWD cooperated in exploring a way to continue SDC water treatment plant operations, but the operating option was not implemented.

The DGS decision to shut down the water treatment plant was not inevitable. It could have paid more attention to the risk of reducing emergency water supplies and future need for treating surface waters. A staffing problem could have been anticipated and solved. More effort could have been given to a cooperative solution with the VOMWD. The final decision was nonetheless based on allowable managerial considerations.

After the water treatment plant was taken out of service, the Sonoma County Civil Grand Jury conducted a site visit that included observations of the plant. Discussions with operating staff indicate the plant was in good operating order at the time it was shut down. Our observations confirm that the decommissioned plant was being left clean and carefully mothballed in anticipation of future use.

The Grand Jury has received informed opinions from opposing viewpoints that:

- The water treatment plant was old, falling apart, and forced by its limitations to operate inappropriately. The best thing was to shut it down and never use it again. It should have been taken out of service sooner.

Alternatively:

- The plant has been well maintained, with improvements made from time to time, and it continued to meet operational output requirements. Further improvements should be made, perhaps no more than typical for any facility. But for the DGS's decision, the plant would have remained in service. The plant could be returned to service now or later.

The Grand Jury is unable to make a determination about the suitability of the existing water treatment plant for future operations, based on these informed but conflicting opinions. When it becomes important, a determination should be made by a qualified engineering consultant.

Sonoma Valley Regional Water Resources

Water for a Changing Future

SUMMARY

When Sonoma Valley water agencies reported that the closure of the water treatment plant at the Sonoma Developmental Center had the potential to cause difficulties for them and their customers, an investigation by the Sonoma County Civil Grand Jury found several meaningful problems. One of them is addressed in a companion report, *Emergency Water Shortages in Sonoma Valley*, dealing with an emergency risk that needs prompt attention. That report also provides a context for understanding a broader problem with water in Sonoma Valley. This report addresses the importance of how the Sonoma Valley will be supplied with water in the future.

The changes at the Sonoma Developmental Center made sense in isolation for the Sonoma Developmental Center, but the wider effect of these changes on water throughout the Valley was not considered. The impacts of the Sonoma Developmental Center closure illustrate the need for an improved understanding of the interdependence of all water entities in the region.

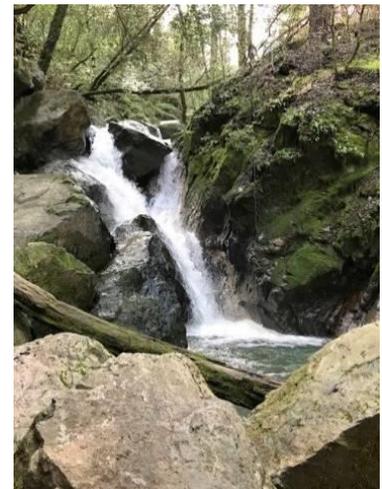
Many cooperative programs and efforts already exist in Sonoma Valley, notably the aqueduct operated by Sonoma Water, the Sonoma Valley Groundwater Sustainability Agency and the *Regional Water Supply Resiliency Study*. Additional programs are needed to address current and future water challenges in Sonoma Valley. This report identifies significant opportunities for water-related entities to leverage their collective water resources to improve regional water supply, reliability and resilience.

Some of this will have to be worked through in the months and years ahead, and part of the answer lies in a commitment on the part of water-related agencies to acknowledge that they are all part of an interactive region—each one affects the others—and embrace working together regionally on the basis of common interests.

BACKGROUND

Early water service in the Sonoma Valley was provided by small private water companies. Through the years, those companies proliferated and consolidated as communities expanded. By 1957 groundwater levels were declining, threatening the dependability of existing water supply sources. Efforts to bring in water through an aqueduct from the Russian River stalled for lack of financing until 1963, when the agency now called Sonoma Water completed the Sonoma Aqueduct to the City of Sonoma.

Today there are more water users in the Valley than ever. Valley residents still depend on surface and groundwater resources throughout the Valley. These resources are not sufficient to sustain the current population without importing additional water from the Russian



*Sonoma Creek Falls
Headwaters - Sonoma Creek
Sugarloaf Ridge State Park*

River. Water resource planning, development, regulation and use take place primarily in four local organizations: the City of Sonoma, the Valley of the Moon Water District (VOMWD), the Sonoma Developmental Center (SDC), and Sonoma Water. These are separate entities, but they all depend on the same limited resources. The actions of each affect all the others. There are many reasons for them to cooperate with one another and work together on a regional basis to serve their customers efficiently, protect scarce resources and increase resiliency to respond to emergencies and climate change.

Major Water Suppliers in Sonoma Valley

The City of Sonoma

The City of Sonoma operates its own water system, serving more than 11,000 people on 4,000 service connections. It has its own wells, but demand far exceeds the amount of water produced by the City's wells. Most of its water comes from the Russian River, purchased from Sonoma Water and delivered through the Sonoma Aqueduct.

The Valley of the Moon Water District

The Valley of the Moon Water District (VOMWD) came into being through the consolidation of several smaller private water companies. It supplies water to much of the area known as the Valley of the Moon, serving nearly 25,000 people through 8,700 metered accounts. Its territory covers a 12-square-mile area stretching from Glen Ellen to the City of Sonoma (excluding the SDC campus). The VOMWD also has its own wells, but most of its water today comes from the Russian River, purchased from Sonoma Water and delivered through the Sonoma Aqueduct.

Sonoma Developmental Center

The Sonoma Developmental Center (SDC) campus occupies the property south of Glen Ellen that is owned by the State of California. Until the end of 2018 it was a residential facility for people with physical and developmental disabilities. At peak occupancy it housed as many as 4,500 patients and staff. It is currently administered by the California Department of General Services (DGS) while Sonoma County conducts a three-year land use planning process to decide how the land should be redeveloped. This process will result in an SDC Specific Plan, due in December 2021.

Until recently, water for domestic, agricultural, and fire suppression purposes came primarily from surface water on the property, which was treated on site in a facility with a capacity of up to 1.8 million gallons a day. As the population of the SDC declined, the water treatment plant handled less and less water until it closed completely in September 2019. The ultimate disposition of this site, and the water uses that will go along with it, are as yet undetermined and depend on the eventual contours of the SDC Specific Plan. The priorities for the Specific Plan include, among other things, creating affordable housing and protecting open space and natural resources.

Sonoma Water

Sonoma Water is the current name of a special district created in 1949 to provide flood protection and water supply services for Sonoma County. It also operates the Sonoma Aqueduct that delivers water from the Russian River to more than 600,000 residents in portions of Sonoma and northern Marin counties. The agency is a water wholesaler, selling potable water primarily to nine cities and special districts, which in turn sell it to their customers. The VOMWD and the City of Sonoma are among the contracting agencies that buy water from Sonoma Water. The

SDC is one of several “Other Agency Customers” that Sonoma Water directly supplies with limited quantities of water.

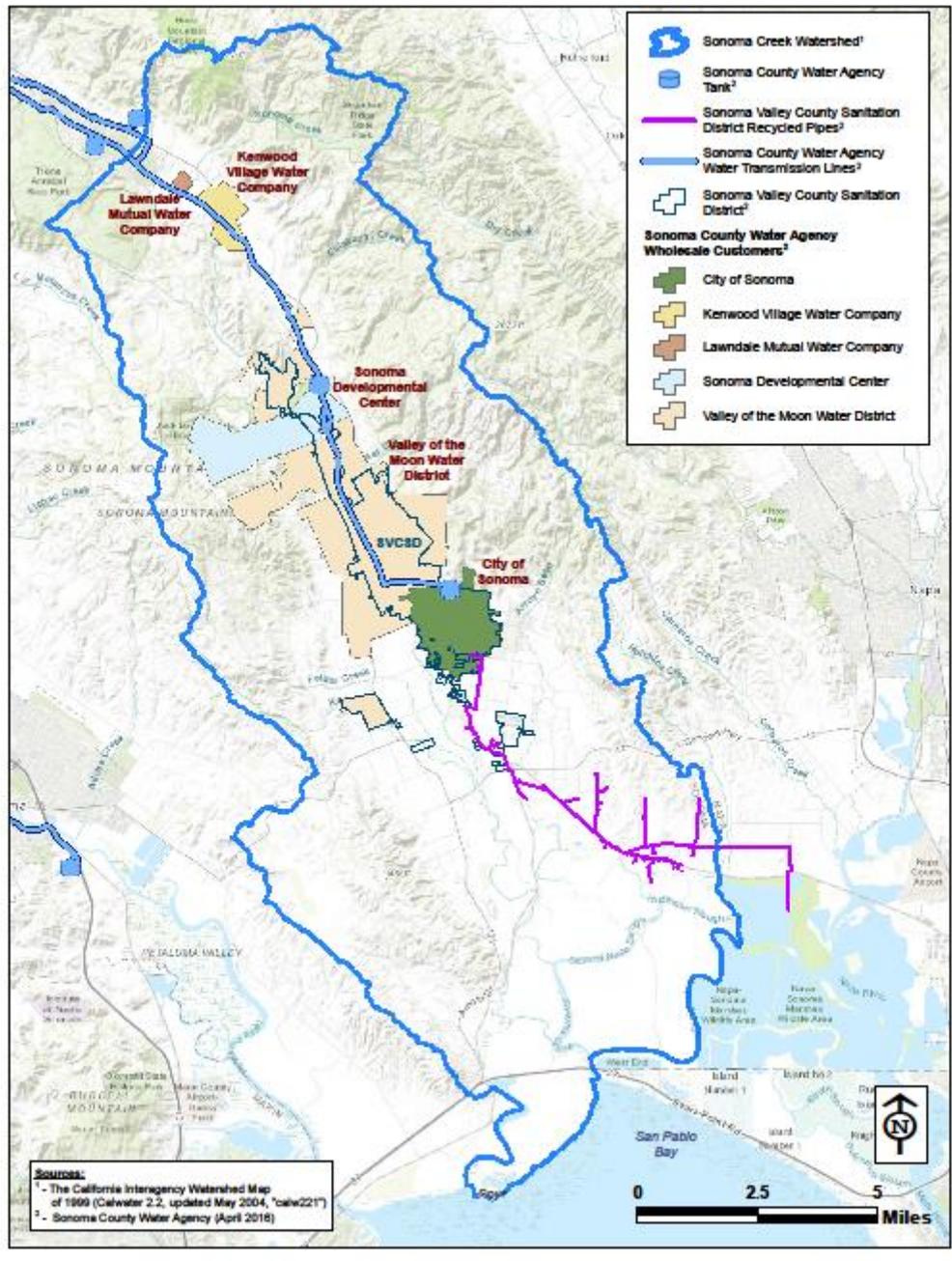


Figure 1: Public entities providing water services in Sonoma Valley (Southern Sonoma County Storm Water Resources Plan)

Allied Water Interests

Private Water Companies

The full scope of water resources in Sonoma Valley includes not only these major suppliers, but many small private water companies, industrial centers, wineries and other agricultural interests and thousands of private wells. A few of the private water companies in this area include Diamond A Mutual Water Company, Sobre Vista Water Company, Kenwood Village Water Company and Mission Highlands Mutual Water Company. The Sonoma County Local Agency Formation Commission (LAFCO) has proposed the first two of these for possible annexation to the Valley of the Moon Water District.

Sonoma Valley County Sanitation District

The Sonoma Valley County Sanitation District (SVCSD) serves an area from Glen Ellen in the north to Schellville in the south, including the City of Sonoma. Under the management of Sonoma Water, the SVCSD provides wastewater collection and treatment and recycled water distribution to a population of approximately 42,000 residents.



Sonoma Valley Groundwater Sustainability Agency

With the exception of water sourced from the Russian River and provided by Sonoma Water, most of the water used in Sonoma Valley is pumped from the Sonoma Valley Groundwater Basin. Because the groundwater levels in parts of Sonoma Valley are declining and infiltration of salt water into the aquifer threatens serious damage, the Sonoma Valley Groundwater Sustainability Agency (SVGSA) was formed in 2017 to deal with these issues and work for sustainable solutions. The SVGSA is not a supplier; its mandate is to maintain groundwater at sustainable levels so that it will continue to be available to all users, including the thousands of rural households, businesses and farms that do not receive water from established water systems. The SVGSA is required by law to issue a 20-year Groundwater Sustainability Plan by 2022.

Fire Protection Districts

Fire protection districts work closely with the major water suppliers. Fire departments typically rely on mutual assistance agreements for backup. In 2017, the City of Sonoma and the Valley of the Moon Fire Protection District entered into an agreement to merge under the name Sonoma Valley Fire & Rescue Authority. Effective July 1, 2020, LAFCO gave its approval to include the Glen Ellen Fire Protection District and an appropriate portion of County Service Area 40-Fire Services (Mayacamas Volunteer Fire Department) in the merger. The new service will operate under the name Sonoma Valley Fire Protection District. In the future, the Kenwood Fire Protection District and the Schell-Vista Fire Protection District may be added to the newly created agency.

Other Agencies

Other governmental entities play important roles in making sure our water resources are protected, safe and adequate both for people and for the wildlife and environmental interests that we value. Federal and State organizations include the U.S. Environmental Protection Agency (EPA), the U.S. Fish and Wildlife Service, the California Department of Fish and Wildlife and various water quality organizations. They are regulatory agencies rather than local suppliers or users, but they are significant players in the regulatory environment.

Regional Cooperation

Sonoma County residents have long acted cooperatively when it comes to water resources, ranging from building and maintaining local water companies, supporting the construction of the Sonoma Aqueduct, to conserving groundwater resources under the SVGSA. This kind of cooperative effort is continuing as Sonoma Water and its water contractors (including City of Sonoma and the VOMWD) conduct a resiliency study to learn how to improve their operations in the face of emergencies such as earthquake, fire, flood, drought and climate change. This same spirit of cooperative planning extends to County officials responsible for the SDC Specific Plan, as they engage local water providers in the planning process.

METHODOLOGY

This investigation evolved out of responses to the 2018-2019 Civil Grand Jury investigation about the availability of water after an earthquake. The Grand Jury explored how the underlying problems might have been avoided through better cooperation.

The Grand Jury held interviews with:

- Representatives of Sonoma Water, the Valley of the Moon Water District, and the City of Sonoma.
- Representatives of Permit Sonoma, fire agencies, and the California Department of General Services.

The Grand Jury reviewed and evaluated a wide range of sources:

- The Valley of the Moon Water District and the City of Sonoma responses to the 2018-2019 Grand Jury report *Will There Be Water After an Earthquake?*
- A variety of maps, studies, contracts and planning documents relating to the water resources of the Sonoma Valley.
- Technical documents dealing with water sourcing, storage, distribution and use under normal conditions and in hypothetical and real emergencies.
- Information pertaining to the Sonoma Valley Groundwater Sustainability Agency and the Sonoma Valley County Sanitation District.

DISCUSSION

For those dealing with water issues, change may affect conservation, groundwater sustainability, water quality, reclaimed water and water allocations from the Sonoma Aqueduct, among other major issues. The ability to bring about positive change or reduce risks demands common effort.

As an example, the Sonoma Aqueduct is a major asset for the Valley. Life in the Valley as we know and enjoy it would not be possible without water from the Sonoma Aqueduct. The Aqueduct was a major change and success when it was completed nearly 60 years ago. The first efforts to organize and fund the project failed. It took the ongoing efforts of people working together to persist and succeed.

The decision to close the Sonoma Developmental Center (SDC) is a current example of a major transition that is affecting the lives of thousands of people. The SDC was once the largest employer in the County. Now it is closed. Changes at the former SDC site figure prominently in this report because they have a marked effect on water suppliers and other governmental entities throughout Sonoma Valley, most notably the nearby Valley of the Moon Water District.

Ongoing Efforts Requiring Further Cooperation

The following efforts in Sonoma Valley still need further cooperation to maximize their success:

- Recent threats to groundwater overdraft have resulted in the Sustainable Groundwater Management Act (SGMA), with a sustainability plan expected in a few years.
- A feasibility study for recycled water led to expectations of more extensive use, until the VOMWD dropped out.
- The SDC and VOMWD had a mutual aid agreement that called for the exchange of water during emergencies, until the closure of the SDC water treatment plant made it ineffectual.¹

Effective Cooperative Efforts

The consolidation of fire districts in Sonoma Valley is an example of working together cooperatively.

The City of Sonoma, fire districts, and other water-oriented agencies in Sonoma Valley:

- Recognize and affirm the mutuality of their goals and services.
- Cooperate in joint activities and projects as appropriate, working together for the common benefit of the region.

The City of Sonoma and Valley of the Moon Fire Protection District had an agreement with the Sonoma Valley Fire and Rescue Authority. The agreement fostered mutual planning and response in both normal times and in an emergency. Most recently, building on this foundation, fire districts joined together to provide consistent coverage throughout most of Sonoma Valley.

The three major water suppliers within Sonoma Valley are the City of Sonoma, VOMWD and Sonoma Water. They participate in county, regional and state partnerships, including:

- California Master Mutual Aid Agreement

¹ The Grand Jury's companion report, *Emergency Water Shortages in Sonoma Valley*, details what happened.

- California Water Efficiency Partnership
- Sonoma-Marín Saving Water Partnership
- Sonoma Water Technical Advisory Committee and Water Advisory Committee
- Urban Water Management Plan
- California Water Loss Audit Reports / American Water Works Association
- Sonoma Valley Recycled Water Feasibility Study
- Southern Sonoma County Stormwater Resources Plan

With recent reductions in scope and activity, the SDC is no longer required to make most of the mandatory filings associated with water districts. In the future, considerable activity is expected to resume in some form at the SDC site.

Both Sonoma Valley water utilities and Sonoma Water participate in the Sonoma-Marín Saving Water Partnership and the California Water Efficiency Partnership. The partnerships have been active in conserving water and planning for droughts. Although the focus differs, the benefit for emergency preparedness is similar because less water used in normal times means less water needed during emergencies. Guidance for water conservation also comes from the *Restructured Agreement for Water Supply*, the contract between Sonoma Water and its water contractors that governs Russian River water delivered through the Sonoma Aqueduct.

California law requires urban retail water suppliers to submit annual validated water-loss audits to the California Department of Water Resources (DWR). The VOMWD and the City of Sonoma filed reports for 2018, the most recent year of record. There are no leakage audit reports on file for SDC, but it is commonly believed that their system losses are substantial. The SDC water distribution system is outdated and has been getting by with minimal maintenance; the fire department reports pipes bursting during training exercises. The SDC system also has dual piping (originally separate systems for drinking and untreated water), which means more joints, valves and fittings that can break or leak.

The DWR has been tasked with developing new goals for urban retail water suppliers aimed at reducing indoor water consumption to 55 gallons per person per day. There will also be a goal for outdoor water consumption. There are no legal mandates on consumers, but utilities will have to conserve or pay substantial fines. This is an example of resource limitations and changing conservation standards that we have to accept as the State's population increases. It will take cooperative effort to achieve the goals.

Sonoma Water is leading local water utilities in the *Regional Water Supply Resiliency Study*. This study will determine how the region would benefit from leveraging their collective water resources by improving regional water supply reliability and resiliency.

Sonoma County Local Agency Formation Commission (LAFCO)

The Sonoma County Civil Grand Jury is not the first to recommend working cooperatively. When LAFCO studied the Valley of the Moon Water District in 2017 and determined that its Sphere of Influence includes the SDC area, the findings that led to that determination recognized

significant opportunities for cooperation among water entities in Sonoma Valley. LAFCO proposed the following to the VOMWD:

- Continue discussions with the City of Sonoma regarding opportunities for coordinating provisions to produce efficiencies and cost savings, up to and including potential consolidation of operations in the future.
- Explore opportunities to reduce costs (management, office operations, equipment) through a joint operating agreement or consolidation with the City of Sonoma’s water utility.
- Take advantage of opportunities to reduce costs and provide more efficient services. The VOMWD has already taken advantage of many and should consider opportunities to share facilities and services with smaller local agencies including the City of Sonoma and nearby municipal water companies. Potential shared services might include:
 - Meter reading
 - Customer billing and payment processing
 - Water sample collection and testing
 - Customer service

LAFCO also pointed out opportunities for cooperative activities between VOMWD and SDC, both now and during the transition to a redeveloped property:

- The VOMWD can serve existing and potential users on the Sonoma Developmental Center site, using existing water supply resources. The VOMWD is also capable of taking on management and operation of SDC water-delivery infrastructure, though it is assumed that significant improvements and upgrades would be needed.
- The disposition of the properties comprising the community previously operated as the SDC may call for the transfer of the campus water production and delivery system to a capable local agency; VOMWD is the only rational choice to do so.
- For the SDC, an eventual annexation of the area may allow the VOMWD to develop additional local supply and groundwater management options, to the benefit of both the SDC area, the VOMWD and Sonoma Valley as a whole.

The LAFCO study observed that the VOMWD “remains open to forging agreements with the State to cooperatively manage water supply and delivery assets at the campus for broader benefit to the Sonoma Valley community. Opportunities include seasonal water storage, use of groundwater and surface water sources, and siting of groundwater recharge facilities.”

The professionals engaged by the County (Dyett & Bhatia) to consult on the SDC Specific Plan have a broader work statement: “The [water supply assessment] will consider various water supply alternatives, including annexation to the Valley of the Moon Water District, conversion to a private utility, and others.” The sooner those options can be addressed and decided, the better it will be for the three-year planning effort and for addressing immediate concerns in the field.

Opportunities for Regional Cooperation

The California Department of Water Resources urges regional water management as:

A collaborative effort to identify and implement water management solutions on a regional scale that increase regional self-reliance, reduce conflict, and manage water to concurrently achieve social, environmental, and economic objectives. This approach delivers higher value for investments by considering all interests, providing multiple benefits, and working across jurisdictional boundaries. Examples of multiple benefits include improved water quality, better flood management, restored and enhanced ecosystems, and more reliable surface and groundwater supplies.

The 2020 Urban Water Management Plan (UWMP) presents an especially attractive opportunity. Each water supply utility prepares an extensive planning document every five years, presenting detailed information about the utility's services, capabilities, water demand and sources, and plans and projections for the future. The State's guidelines for preparing the reports encourage regional submittals among cooperating utilities. "Each urban water supplier shall coordinate the preparation of its plan with other appropriate agencies in the area, including other water suppliers that share a common source, water management agencies, and relevant public agencies, to the extent practicable."

CONCLUSION

Sonoma Valley will need to adopt a more regional approach to water management because of ongoing challenges such as population growth and climate change in the region. Water resources in the Valley are clearly limited; formalized agreements and efforts to share water supplies in an emergency should be equally valuable. Mutual aid agreements can also be applied to supplies, equipment and staffing. Cooperative efforts can extend to joint projects such as water conservation, groundwater recharge and distribution of reclaimed water, all of which are regional concerns.

Sonoma Valley has had some notable successes in cooperating on water management such as the Sonoma Aqueduct, the Sonoma Valley Groundwater Sustainability Agency and the *Regional Water Supply Resiliency Study*. Now they are going to need to go beyond that due to future challenges. The need for potable water affects everyone in Sonoma Valley, especially during emergency conditions such as fire, earthquake, drought or flood. As conditions change and we need better ways to manage water, we must seek solutions through cooperation. To anticipate and prepare for tomorrow's problems, Sonoma Valley needs a regional approach to managing regional water resources.

FINDINGS

- F1. The unilateral closure of the Sonoma Developmental Center water treatment plant has negatively impacted water agencies throughout the Valley and illustrates the need for a regional approach to water management.
- F2. The Sonoma Developmental Center has chosen to purchase water from Sonoma Water, rather than continue treating local water for its supply, but the Restructured Agreement may give the Valley of the Moon Water District the right to replace Sonoma Water as the water supplier for the Sonoma Developmental Center.

- F3. The SDC Specific Plan provides an opportunity for regional cooperation.
- F4. As the Sonoma County Local Agency Formation Commission’s presumptive water supplier for the site, the Valley of the Moon Water District could contract with the Department of General Services to operate and manage the existing water distribution system on the Sonoma Developmental Center site until the SDC Specific Plan is implemented.
- F5. The City of Sonoma, the Valley of the Moon Water District, and Sonoma Developmental Center have common interests that warrant current and ongoing cooperation between and among them through formal and informal processes.
- F6. Small private water districts in the Valley would also benefit from regional cooperation.
- F7. Cooperation between regional water suppliers might include projects such as: wastewater collection and treatment, recycled water use, spreading basins for groundwater recharge and fire suppression.
- F8. The State of California encourages cooperative efforts among water supply agencies, including joint preparation of regional Urban Water Management Plans.

RECOMMENDATIONS

The Sonoma County Civil Grand Jury recommends that:

- R1. Sonoma Water, the Valley of the Moon Water District, the City of Sonoma and Permit Sonoma work with California Department of General Services to seek an agreement, by October 31, 2020, that potable water storage facilities at Sonoma Developmental Center shall remain active and available for sharing water (F2)
- R2. Permit Sonoma establish, by August 31, 2020, a continuing dialog with water system managers for the City of Sonoma, the Valley of the Moon Water District, and the Sonoma Developmental Center to inform the SDC Specific Plan. (F5, F8)
- R3. Sonoma Valley water agencies take an active role in the SDC Specific plan process, by September 30, 2020. (F3, F7)
- R4. Permit Sonoma communicate the results of the Water Supply Assessment to water system managers for the City of Sonoma and the Valley of the Moon Water District as soon as they become available. (F8)
- R5. The City of Sonoma and the Valley of the Moon Water District establish a mutual aid agreement that provides for ongoing cooperation on planning, services, projects and such other collaborative efforts that they deem to be to be mutually beneficial (e.g., sharing of such resources as staff, equipment and emergency water), with a copy of the mutual aid agreement to be sent to the Grand Jury by December 31, 2020. (F8)
- R6. The Valley of the Moon Water District and the City of Sonoma meet by October 31, 2020 to discuss the issuance of a regional 2020 Urban Water Management Plan rather than two separate ones. (F8)

REQUIRED RESPONSES

Pursuant to Penal Code §933.05, the Grand Jury requires responses as follows:

- The Valley of the Moon Water District (R1, R2, R3, R4, R5, R6)
- City of Sonoma (R1, R2, R3, R4, R5, R6)
- Sonoma Water (R1)
- Permit Sonoma (R1, R2, R3, R4)

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

INVITED RESPONSES

The Grand Jury invites the following to respond:

- Director of the California Department of General Services (R1)

BIBLIOGRAPHY

For brevity, the bibliography for this report is included in the similar bibliography in the companion report, *Emergency Water Shortages in Sonoma Valley*.

GLOSSARY

- DWR California Department of Water Resources
- LAFCO Sonoma County Local Agency Formation Commission
Regulates the boundaries of cities and special districts.
- SDC Sonoma Developmental Center
- Sonoma Valley Geographical area stretching from Kenwood through the City of Sonoma and south to San Pablo Bay
- Specific Plan A detailed plan for implementing or modifying the County’s General Plan for land use, in this report the SDC property
- SVGSA Sonoma Valley Groundwater Sustainability Agency
- UWMP Urban Water Management Plan
- VOMWD Valley of the Moon Water District

Responses to the 2018-2019 Sonoma County Civil Grand Jury Reports

Providing Continuity by Follow-Through on Previous Investigations

SUMMARY

The 2019-2020 Sonoma County Civil Grand Jury has reviewed the responses to the investigations and recommendations made by the 2018-2019 Grand Jury. The 2018-2019 Grand Jury issued four investigative reports, and this summary addresses the responses received from the responsible entities named in those reports. Although respondents did not adopt all recommendations, their responses do comply with the requirements of the Penal Code except as noted.

BACKGROUND

The Grand Jury system in California exists to promote effective and efficient local government. The Penal Code gives the Grand Jury 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.

Each year the Grand Jury investigates local government institutions and issues reports containing the results of these investigations and Findings that lead to Recommendations for improvement. Governing bodies and officials 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 whether they meet the requirements of the Penal Code. This review establishes continuity from one Grand Jury to the next. The seated Grand Jury may evaluate responses for adequacy and determine whether appropriate steps have been taken to implement Recommendations.

METHODOLOGY

The Grand Jury evaluated responses for compliance with the governing sections of the Penal Code 933.05.

DISCUSSION

According to the Penal Code, governing bodies and officials are required to respond to Findings in Grand Jury reports and the respondent 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 yet been implemented, but will be implemented in the future, with a timeframe for implementation.
- (3) The Recommendation requires further analysis, with 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 head 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.
- (4) The Recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

CONCLUSION

The Sonoma County Civil Grand Jury concluded that the responses to the 2018-2019 Grand Jury Recommendations are in compliance with the Penal Code, except as noted in the summary of responses set out in Appendix A. In addition, the 2019-2020 Grand Jury has included its observations on the responses.

To read the full responses and the 2018-2019 Grand Jury report, go to <http://sonoma.courts.ca.gov/> and navigate to “Civil Grand Jury.”

2018-2019 GRAND JURY RESPONSE SUMMARY CHART
WILL THERE BE WATER AFTER AN EARTHQUAKE?

RES = Respondent SW = Sonoma Water WC = Water Contractor

RECOMMENDATIONS	RES.	RESPONSES	2019-2020 GJ OBSERVATIONS
R1. SW review and establish viable options for accelerating how rapidly the highest-priority mitigation measures are being funded and implemented by December 31, 2019	SW	The Recommendation will be implemented by June 30, 2020. Additional time beyond December 31, 2019 is required based on the annual schedule for the water transmission budget.	The Grand Jury acknowledges that SW intends to implement the Recommendation as soon as is practical given budget cycles.
R2. SW maintain inventory lists with current goals for items, quantities, locations, and sourcing; and improve stockpiling accordingly by December 31, 2019	SW	The Recommendation will be implemented.	The Grand Jury acknowledges that SW intends to implement this Recommendation.
R3. SW and WCs derive and publicize more realistic outage periods and provide updated information to the public by December 31, 2019	SW	The Recommendation will be implemented.	The Grand Jury acknowledges that SW intends to implement this Recommendation.
R4. SW improve coordination with WCs, including field exercises by December 31, 2019	SW	SW will draft an emergency training and coordination plan, in partnership with WCs, by December 31, 2019.	The Grand Jury acknowledges that SW intends to create a draft plan to implement this Recommendation by the date recommended. The Grand Jury encourages SW to conduct the planned field exercises as soon as practical.
R5. WCs 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	WCs	All WCs have been studying ways to make their systems more adaptable under emergency conditions, and have already implemented many of the options. By spring 2020 they will complete a further study with SW that will explore enhanced resiliency measures.	The Grand Jury acknowledges that the WCs are engaged in ongoing studies of system adaptability under emergency conditions, and are already implementing some of the options they have identified.

RECOMMENDATIONS	RES.	RESPONSES	2019-2020 GJ OBSERVATIONS
(R5. continued)		<p>Valley of the Moon Water District (VOMWD) had an emergency supply plan that included connecting to the stand-alone water system at the SDC (Sonoma Developmental Center). The State of California closed its SDC water treatment plant in 2019, earlier than expected, leaving the VOMWD with only a one-day supply of emergency drinking and fire control water.</p>	<p>The Grand Jury acknowledges that the VOMWD’s plan for emergency water supply has been impacted by the early closure of the SDC water treatment plant, and that the VOMWD’s own wells and storage are insufficient to sustain a major outage. The Grand Jury recognizes that the VOMWD has been working on long-term plans for expansion of their well capacity. Consistent with the Grand Jury’s original Recommendation, the VOMWD should, with all due haste, study ways to accelerate their development timeline while continuing to look for alternative sources of emergency water supply.</p>
<p>R6. SW prepare and maintain one or more Standard Operating Procedures (SOPs) 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</p>	<p>SW</p>	<p>The Recommendation will be implemented by June 30, 2020. Extra time beyond December 31, 2019 needed to ensure adequate coordination with WCs and other external entities.</p>	<p>The Grand Jury acknowledges that SW intends to implement this Recommendation by the earliest date practical given the need to coordinate with WCs and other outside entities.</p>

THE JAILHOUSE ROCKS

MADF = Main Adult Detention Facility

RECOMMENDATIONS	RES.	RESPONSES	2019-2020 GJ OBSERVATIONS
<p>R1. MADF add nurse hours to the booking area during evening and night shifts by December 31, 2019.</p>	<p>Sheriff</p>	<p>The Recommendation requires further analysis. Wellpath is conducting a booking area workload analysis to assess the effectiveness of current staffing, for discussion by the Sheriff and Assistant Sheriff, by December 31, 2019. A new funding source would be needed to add staffing to the current inmate medical contract.</p>	<p>The Grand Jury encourages the Sheriff to expedite implementation of appropriate changes resulting from the workload analysis.</p>
<p>R2. MADF screen all inmates for syphilis at intake by December 31, 2019.</p>	<p>Sheriff</p>	<p>The Recommendation will not be implemented. Staffing levels and funding for screening are insufficient to implement the Recommendation. Additionally, many arrestees are released within hours, making results, treatment, and counseling by MADF staff impossible.</p> <p>The Sheriff's Office is open to partnering with Public Health to combat the syphilis epidemic. If test kits were provided as needed, inmates already housed at MADF and who consent can be tested at the time of their 10-14 day physicals, and receive appropriate counseling, care, and follow-up while in custody.</p>	<p>The Grand Jury accepts the Sheriff's proposed compromise as a reasonable alternative to the Recommendation and encourages the Sheriff to initiate a partnership with Public Health.</p>

RECOMMENDATIONS	RES.	RESPONSES	2019-2020 GJ OBSERVATIONS
<p>R3. MADF add discharge planning hours to strengthen hand-offs to appropriate health care providers by December 31, 2019.</p>	<p>Sheriff</p>	<p>The Recommendation will be implemented. The County was awarded a U.S. Department of Justice grant in 2018 to improve access to and delivery of services to offenders with co-occurring substance abuse and mental illness when they leave incarceration to re-enter the community. The grant funds additional discharge planning hours.</p>	<p>The Grand Jury acknowledges that the Recommendation will be implemented.</p>
<p>R4. MADF consult with an outside medical specialist to review its HIV/AIDS drug protocols and produce a report by December 31, 2019.</p>	<p>Sheriff</p>	<p>The Recommendation will not be implemented. The formulary of approved medications established by Wellpath meets most needs, but there is also a process in place for the physician specialist who provides care to inmates with HIV/AIDS to request non-formulary drug substitutions when medically justified.</p>	<p>The Grand Jury understands that the Recommendation will not be implemented as Wellpath procedures appear to be sufficient.</p>
<p>R5. MADF re-evaluate its policy on the use of support medications for opioid abuse reflecting current best practices by December 31, 2019.</p>	<p>Sheriff</p>	<p>The Recommendation will be implemented. The Sheriff's Office is in the process of evaluating its policy on the use of Medication-Assisted Treatment (MAT) and has held several informational meetings with medical professionals. We will also be closely monitoring the progress of a state-funded three-year MAT study at San Francisco County detention facilities.</p>	<p>The Grand Jury acknowledges that the Recommendation will be implemented.</p>

THE BEHAVIORAL HEALTH BUDGET

RES = Respondent BOS = Board of Supervisors CAO = County Administrative Officer
 DHS = Director of Health and Human Services DHR = Director of Human Resources
 ACTTC = Auditor-Controller-Treasurer-Tax Collector BHD = Behavioral Health Division

RECOMMENDATIONS	RES.	RESPONSES	2019-2020 GJ OBSERVATIONS
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 December 31, 2019	BOS and CAO	BOS: Recently developed DHS-specific budget policies and procedures are being implemented. CAO will oversee the completion of these changes CAO: DHS has developed budget policies and procedures. The CAO will work with the Dept. to ensure implementation.	The Grand Jury acknowledges that the Recommendation will be implemented.
R2. DHS prioritize implementation of the Avatar system by December 31, 2019	DHS	The Recommendation has been implemented.	The Grand Jury acknowledges that the Recommendation has been implemented.
R3. BHD include all managers in budget development and review by December 31, 2019	DHS	The Recommendation has been implemented.	The Grand Jury acknowledges that the Recommendation has been implemented.
R4. BHD institute procedures for effective and respectful staff communication and support at all levels by December 31, 2019	DHS	The Recommendation has been implemented.	The Grand Jury acknowledges that the Recommendation has been implemented.
R5. DHS continue and expedite the CBO contract evaluation and build performance metrics by December 31, 2019	DHS	The Recommendation will be implemented. A consultant will be hired to assist in creating a contract evaluation process which can be active for contract renewals in July 2020.	The Grand Jury acknowledges that the Recommendation will be implemented.
R6. DHS and BHD receive continued training in government finance by December 31, 2019	DHR and DHS	The Recommendation has been implemented.	The Grand Jury acknowledges that the Recommendation has been implemented.

RECOMMENDATIONS	RES.	RESPONSES	2019-2020 GJ OBSERVATIONS
R7. DHS hire a CFO who is experienced in government finance and systems	DHS and DHR	The Recommendation has been implemented.	The Grand Jury acknowledges that the Recommendation has been implemented.
R8. The County Auditor's Office institute procedures for verifying actual revenue figures, rather than verifying that projected budgets balance, by December 31, 2019	ACTTC	The ACTTC wholly disagrees with the Finding upon which the Recommendation is based, and, therefore, the Recommendation will not be implemented. In explanation of its disagreement with the Finding and Recommendation, the ACTTC states that current policies are effective for what they are designed to do. They include review of individual transactions and review of account balances. In addition, extra scrutiny is provided for departments considered to be at risk for errors, including DHS. Preparation for Sonoma County Comprehensive Annual Financial Report also provides a review of account balances. The authority and responsibility to prepare and evaluate budgeted revenues and expenditures lies with the department, management, the County Administrator, and the Board of Supervisors.	The Grand Jury understands the ACTTC's explanation for its disagreement with the Finding and its reasons for not implementing the Recommendation. The Grand Jury notes, however, that, while the ACTTC's current policies are effective for what they are designed to do, as the ACTTC itself states, these policies are not designed to, and have not prevented, successive years of large deficits. The ACTTC asserts that this is not its responsibility. We encourage the BOS to work with the Department of Behavioral Health and the County Administrator to implement the appropriate procedure.
R9. The Compliance Program be adequately funded and supported, by December 31, 2019	DHS	The Recommendation has been implemented.	The Grand Jury acknowledges that the Recommendation has been implemented.
R10. We recommend the BOS review its budget oversight responsibilities by December 31, 2019.	BOS	Budget shortfall has been met by one-time County discretionary funding. Staff is reviewing policies and procedures to be consistent across the Department.	The Grand Jury acknowledges that the BOS has approved implementation of the Recommendation.

MANAGING PUBLIC PROPERTIES IN SONOMA COUNTY

ACTTC = Auditor-Controller-Treasurer-Tax Collector BOS = Board of Supervisors
 CAO = County Administrative Officer GSD = General Services Department
 DHS = Department of Health Services CAFR = Comprehensive Annual Financial Report

RECOMMENDATIONS	RESP.	RESPONSES	2019-2020 GJ OBSERVATIONS
<p>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.</p>	<p>ACTTC and BOS</p>	<p>The Recommendation will not be implemented because the tracking and reporting of planned, actual and deferred maintenance activities is not the responsibility of the ACTTC, and because it is not appropriate to apply Federal Accounting Standards in the preparation of the County's CAFR.</p> <p>We agree that accurate information on deferred maintenance should be provided to the Board of Supervisors consistently and timely. A report designed for internal management use can meet the County's needs rather than one designed for external users, such as the CAFR.</p> <p>The purpose of Fiscal Policy FA-1 is to have a uniform method of maintaining capital asset records and accounting for capital assets. We will update policy FA-1 to make it clear that significant deferred maintenance can cause impairment.</p> <p>If the County needs a policy specifically related to the tracking and reporting of required or deferred maintenance of County-owned assets, it should be created by the department(s) with oversight and authority of that activity, i.e., County Administrator and General Services.</p>	<p>The Grand Jury acknowledges that policy FA-1 will be updated to clarify the possibility of asset impairment.</p> <p>The Grand Jury agrees that the BOS is responsible for designating which department shall consistently track and report deferred maintenance for purposes of both management and public disclosure. In order for the response to be compliant with Penal Code 933.05(b)(4), the BOS must clearly designate responsibility for tracking and reporting deferred maintenance.</p>

RECOMMENDATIONS	RESP.	RESPONSES	2019-2020 GJ OBSERVATIONS
<p>R2. The CAO obtain an independent cost analysis and justification of deferred maintenance on capital assets from each department head and present to the BOS by March 2020, and following on an annual basis.</p>	<p>CAO and GSD</p>	<p>The Recommendation has been implemented.</p>	<p>The Grand Jury acknowledges that the Recommendation has been implemented.</p>
<p>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.</p>	<p>CAO and GSD</p>	<p>The Recommendation requires further analysis. The County purchased and implemented EFS Asset Management to provide a centralized accounting system to track capital assets. Additional asset management modules were not purchased. The CAO will direct the General Services Director to work with ACTTC staff to determine whether additional modules are needed.</p>	<p>It is the Grand Jury's understanding that the EFS Asset Management module currently in use has capabilities beyond accounting and finance that have not been implemented. Timely adoption of these unused features would be cost effective and would streamline procedures and make information on County assets more available to decision makers.</p>
<p>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</p>	<p>BOS and CAO</p>	<p>The Recommendation has been implemented. To avoid significant increases in deferred maintenance costs for County facilities, the BOS adopted a Facility Maintenance and Investment/Deferred Maintenance Funding policy. Per the policy, the BOS will appropriate, for a 5-year period beginning in FY 2017-2018, 40% of all new property tax growth to the Capital Projects Budget to address deferred maintenance of County facilities. A number of critical deferred maintenance projects have since been mitigated.</p>	<p>The Grand Jury acknowledges the progress that the BOS has made in securing funding to remediate deferred maintenance of County facilities. It remains a desirable goal for the BOS and CAO to commit to budgeting for facility maintenance consistent with industry standards going forward.</p>

RECOMMENDATIONS	RESP.	RESPONSES	2019-2020 GJ OBSERVATIONS
<p>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.</p>	<p>CAO and GSD</p>	<p>The Recommendation requires further analysis. General Services Facilities Development and Management employs licensed professionals with extensive experience in cost estimating. Because GSD staff are 100% cost recoverable, updating deferred maintenance valuations has been a low priority. Further analysis is necessary to quantify the staff hours needed to update and maintain deferred maintenance valuations and its impact on other projects. Best management practice is to reassess facility conditions every five years; outstanding deferred maintenance items will be re-estimated during that process. GSD will work with the CAO to evaluate resource needs and report to the BOS by June 30, 2020 as part of the FY 2020-27 Capital Improvement Program recommendations and Annual Budget.</p>	<p>The Grand Jury understands that the GSD and CAO will work together to determine the most cost-effective way to proceed.</p>

RECOMMENDATIONS	RESP.	RESPONSES	2019-2020 GJ OBSERVATIONS
<p>R7. ACTTC review assets with accumulated deferred maintenance and adjust the record of accumulated depreciation if material impairment is found by July 1, 2020.</p>	<p>ACTTC</p>	<p>The Recommendation has been partially implemented. ACTTC reviews assets annually for impairment. Prior to year-end, ACTTC sends a Financial Reporting Survey to all County departments with assets in the financial system. Responses to the Survey are reviewed by the financial reporting team, and any adjustments for impairment losses are recorded.</p> <p>The ACTTC will expand the Financial Reporting Survey, beginning with the June 30, 2020 Survey, to specifically include an example of impairment caused by significant deferred maintenance. Assets that are reported as potentially impaired due to deferred maintenance will be run through the asset impairment test and reported appropriately in the CAFR.</p>	<p>The Grand Jury acknowledges that the Recommendation will be implemented.</p>

How to File a Citizen's Complaint

The Sonoma County Civil Grand Jury is an investigative body, which may examine all aspects of County and City government, public schools 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 or any city have the right to file a complaint with the Civil Grand Jury.

If you have a grievance within these jurisdictions, a Citizen Complaint Form may be filled out for review. All complaints and investigations are confidential. Forms, in both English and Spanish, can be found at www.sonomagrandjury.org

THE SONOMA COUNTY CIVIL GRAND JURY



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

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

CITIZEN COMPLAINT FORM – CONFIDENTIAL

The Sonoma County Civil Grand Jury is an investigative body that deals with complaints falling within its jurisdiction. The Grand Jury may examine all aspects of county and city government, public schools, redevelopment agencies 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.

Acknowledgments

The 2019-2020 Grand Jurors wish to extend their heartfelt gratitude to all the amazing Sonoma County and Sonoma County Superior Court employees who assisted us as we struggled to navigate throughout unforeseen and challenging events (Kincade Fire, mass evacuations, power outages, COVID-19 shelter in place and civil unrest) in order to meet our mandated goal of producing this report. You are the same individuals the citizens of Sonoma County rely on to make their local government function.

The following individuals were there to aid the Grand Jury every step of the way:

- *The Honorable Gary Nadler, 2019 Presiding Judge*
- *The Honorable Bradford DeMeo, 2020 Presiding Judge*
- *Arlene Junior, Court Executive Officer*
- *Kara Abelson, Deputy County Counsel*
- *Sheryl Bratton, County Administrator and staff including Niki Berrocal, Joanna Lutman, Marissa Montenegro and Terri Wright*
- *John Hartwig, Anita Suyeyoshi and the Information Systems team*
- *Amanda Ruch, Assistant Auditor-Controller Treasurer-Tax Collector*

We are also grateful to all the dedicated Sonoma County employees who made sacrifices to ensure that services were available during times of disaster and the current pandemic. They are on the front lines along with supportive nonprofit agencies that provide basic needs to County residents at times of devastating loss. They are among the County's first responders.

We would also like to express our thanks to David Schneider for allowing us to use his photograph "Tolay" for our cover.

Thank you all!

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You Can Make a Difference in Sonoma County

To make democracy work, we are most effective as a community of people who are involved in civic engagement and participatory governance. Taking an active role in local government is accessible to all Sonoma County citizens. Throughout our County, there are many avenues to become involved.

You can attend:

- Sonoma County Board of Supervisors meetings
- City Council meetings
- School Board meetings
- Police Citizen's Academy
- Independent Office of Law Enforcement Review and Outreach (IOLERO) meetings
- Sonoma County Behavioral/Mental Health Board meetings

or, you can apply to serve on governing boards, councils or the Sonoma County Civil Grand Jury.

Consider Becoming a Civil Grand Juror

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

The Civil Grand Jury is a panel of 19 jurors who will serve for a 12-month term, assembling weekly for meetings, starting in July through June. The Grand Jury benefits from points of view reflecting diversity in age, ethnicity, gender and education, and encourages all qualifying citizens to apply.

Application forms to become a Sonoma County Civil Grand Juror are available online at www.sonomagrandjury.org 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, qualifying jurors and alternates are selected at random.



Copies of this report are available at any county library.

The reports contained with this consolidated report are also available on line at:
www.sonomagrandjury.org