



Santa Cruz County
Civil Grand Jury

Grand Jury <grandjury@scgrandjury.org>

City of Scotts Valley 2019-2020 Grand Jury Responses

1 message

Tina Friend <tfriend@scottsvalley.org>
To: "grandjury@scgrandjury.org" <grandjury@scgrandjury.org>
Cc: Tracy Ferrara <tferrara@scottsvalley.org>

Thu, Sep 17, 2020 at 8:49 AM

Members of the Santa Cruz Grand Jury:

Attached please find the approved responses from the Scotts Valley City Council to the following reports:

1. The Tangled Web: Oh, What a Managed Web We Weave . . .
2. Managers of Risk or Victims of Risk: Rocked by the Shocks
3. Homelessness: Big Problem, Little Progress: It's Time to Think Outside The Box
4. Ready? Aim? Fire! Santa Cruz County on the Hot Seat

All reports were approved at the September 16, 2020 Scotts Valley City Council meeting. Note that the "Tangled Web" report previously submitted by September 14, 2020 and is included here for convenience.

Thank you,

Tina Friend

Tina Friend

City Manager

City of Scotts Valley

tfriend@scottsvalley.org

(831) 440-5606



4 attachments

 **1- TangledWeb_ScottsValleyCityCouncil_Packet.pdf**
418K

 **2 - ManagingCityRisks_ScottsValleyCC_Packet.pdf**
484K

 **3 - Homelessness_ScottsValleyCC_Packet.pdf**
462K

 **4 - FireRisks_ScottsValleyCC_Packet.pdf**
428K



**The 2019–2020 Santa Cruz County Civil Grand Jury
Requires that the
Scotts Valley City Council
Respond to the Findings and Recommendations
Specified in the Report Titled
Ready? Aim? Fire!
Santa Cruz County on the Hot Seat
by October 1, 2020**

When the response is complete, please

1. Email the completed Response Packet as a file attachment to grandjury@scgrandjury.org, and
2. Print and send a hard copy of the completed Response Packet to

The Honorable Judge John Gallagher
Santa Cruz Courthouse
701 Ocean St.
Santa Cruz, CA 95060

Instructions for Respondents

California law PC §933.05 (included [below](#)) requires the respondent to a Grand Jury report to comment on each finding and recommendation within a report. Explanations for disagreements and timeframes for further implementation or analysis must be provided. Please follow the format below when preparing the responses.

Response Format

1. For the Findings included in this Response Packet, select one of the following responses and provide the required additional information:
 - a. **AGREE** with the Finding, or
 - b. **PARTIALLY DISAGREE** with the Finding and specify the portion of the Finding that is disputed and include an explanation of the reasons therefor, or
 - c. **DISAGREE** with the Finding and provide an explanation of the reasons therefor.
2. For the Recommendations included in this Response Packet, select one of the following actions and provide the required additional information:
 - a. **HAS BEEN IMPLEMENTED**, with a summary regarding the implemented action, or
 - b. **HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE**, with a timeframe or expected date for implementation, or
 - c. **REQUIRES FURTHER ANALYSIS**, with an explanation and the scope and parameters of an analysis or study, and a timeframe for that analysis or study; this timeframe shall not exceed six months from the date of publication of the grand jury report, or
 - d. **WILL NOT BE IMPLEMENTED** because it is not warranted or is not reasonable, with an explanation therefor.

Validation

Date of the governing body's response approval: September 16, 2020

If you have questions about this response form, please contact the Grand Jury by calling 831-454-2099 or by sending an email to grandjury@scgrandjury.org.

Findings

F2. Santa Cruz County residents are at increased risk of fire danger due to the lack of risk management for wildfire. Specific risks are not formally identified, tracked, assessed for impact, nor is progress reported by fire departments in the County. Therefore, leaders responsible for budgets and accountability are left unprepared to manage risk, impact, or performance.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The City of Scotts Valley does not provide fire services and cannot authoritatively comment on the state of countywide fire risk assessment, management and reporting. However, we are aware that our local fire district, the Scotts Valley Fire Protection District (SVFPD), takes fire mitigation very seriously. In addition to conducting its own activities, SVFPD is a ready partner to the City to coordinate on fire risk/vegetation management needs across Scotts Valley. While this work is not underpinned by a formal plan, SVFPD and City Public Works continually coordinate on projects to reduce fire risks to Scotts Valley.

F11. There are only approximately 17,000 accounts for the Santa Cruz County opt-in CodeRED™ emergency system, which implies that a significant portion of the County may not receive emergency alert messages, which potentially reduces residents' opportunity to take action in a timely, life-saving manner.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The City of Scotts Valley has no jurisdiction with the CodeRED emergency system, but understands that technology evolution is constant and new means of notifying residents of emergency situations are continually emerging.

F20. The FireWise institution provides a valuable fire prevention program and, as of March 2020, there were eight FireWise communities registered in the County. Marin County, by contrast, with a similar population, has sixty registered communities, highlighting the need for more FireWise promotion and participation in Santa Cruz County.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

As the City of Scotts Valley does not provide fire services, we have no jurisdiction or direct involvement with the FireWise institution and cannot authoritatively comment on whether there is inadequacy within our County or if there are proxy systems or programs in operation.

F22. Property owners in the County are responsible for their own vegetation management, yet they are often not sufficiently educated about vegetation management practices, or do not have the capability, financial resources, or desire to create defensible space.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

Fire preparation and vegetation management are frequently discussed issues and there are many information sources to educate community members. Questions of capability, desire or financial resources is not within the City of Scotts Valley's scope.

F23. No single organization in the County is assuming a leadership role in Fire Hazard Mitigation. It is not clear whose responsibility it is to minimize this County wide risk.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

Although the City of Scotts Valley does not provide fire services, it understands that the County of Santa Cruz has a leadership role in Fire Hazard Mitigation for the County. Moreover, the Fire Chiefs across the County regularly meet and coordinate on countywide priorities such as this.

F27. The 2015 County of Santa Cruz Emergency Operations Management plan does not adequately address evacuation, and references data too outdated to be useful, such as a population density map from the 2000 census.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The City of Scotts Valley has not assessed the County of Santa Cruz Emergency Operations Management Plan. Scotts Valley completely revised its own Emergency Operations Plan in November 2015 and updated it in 2017 and 2018, with another revision planned for 2021.

F29. The Grand Jury finds that formally specified baseline and target performance statements, in alignment with the Center for Public Safety Excellence Assessment Process, neither currently exist nor are they reported by fire departments in the County as required by best practice standards. There are no goals set or measures made of progress for review by the Board of Supervisors regarding County Fire/CAL FIRE performance. Other fire districts in the County are similarly remiss in reporting to their governing bodies. Appropriate goals would include progress on response times, vegetation management, and code inspection progress, all of which are necessary to properly quantify the budget and resources required for full-time, volunteer, and prison inmate workforces, in appropriate, affordable proportions.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

Recommendations

R10. Santa Cruz County and Cities should create and/or update Hazard Mitigation Plans by July 1, 2021. Any new or existing plans should be updated a minimum of every three years. All plans should address wildfire risk, evacuation and shelter in place plans, emergency alerts, vegetation management, and confirm compliance with California SB 821. (F1, F2, F10, F11, F14–F16, F29)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

Although recognizing the value in preparing a Hazard Mitigation Plan to assess and plan for potential emergency conditions for the City, Scotts Valley lacks the staff and financial resources to complete such an exhaustive plan in the next several months. The City maintains its Emergency Operations Plan, which provides baseline identification of anticipated disasters that could affect Scotts Valley. Going forward, this is something the City could consider as a longer-term project as part of the City's next Strategic Plan process.

R12. The Santa Cruz County Office of Emergency Services should create and publish shelter in place plans, with the cooperation of all county fire protection districts and cities, and should inform citizens of safe building locations, and on what to expect and what to do in case of wildfire, by March 31, 2021. (F14)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

There are a host of approaches to emergency planning, particularly across multiple jurisdictions and districts. Additional analysis would be necessary to ascertain whether the recommended scope is feasible and achievable. As there could be numerous permutations to a wildfire risk, deep analysis would be necessary as to whether a such a master plan could be developed and effective. The City of Scotts Valley would participate in planning and already has pre-designated shelter facilities and sites.

R15. All fire districts in Santa Cruz County should coordinate with utility companies to provide information to residents, via information inserted in utility bill mailings, describing how to sign up for emergency notifications by December 31, 2020. (F19)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

This recommendation could be a conversation among the fire districts and utilities but it is unclear if this is the only or desired avenue for increasing access to emergency notification information. For instance, many residents manage bills online and have opted out of monthly paper statements and there may be other means better suited to realize the objective.

R19. The Board of Supervisors should require the CAO to appoint a county Risk Manager, by December 31, 2020. The Risk Manager should report to the CAO, who will be responsible for ongoing identification, analysis, quantification, and remediation planning of all fire risks across the County. This role should be considered as a service to all four cities in the County as well. (F2, F3, F24)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

Enhanced coordination among jurisdictions, especially on such a vital topic, is always a desirable outcome. However, whether the recommendation as stated is the best solution to this challenge merits further analysis and discussion. The City of Scotts Valley has no jurisdiction over this decision.

Penal Code §933.05

1. For Purposes of subdivision (b) of §933, as to each Grand Jury finding, the responding person or entity shall indicate one of the following:
 - a. the respondent agrees with the finding,
 - b. 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.
2. For purpose of subdivision (b) of §933, as to each Grand Jury recommendation, the responding person shall report one of the following actions:
 - a. the recommendation has been implemented, with a summary regarding the implemented action,
 - b. the recommendation has not yet been implemented but will be implemented in the future, with a timeframe for implementation,
 - c. 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 director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of the publication of the Grand Jury report, or
 - d. the recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
3. However, if a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a County department headed by an elected officer, both the department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected department head shall address all aspects of the findings or recommendations affecting his or her department.
4. A Grand Jury may request a subject person or entity to come before the Grand Jury for the purpose of reading and discussing the findings of the Grand Jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
5. During an investigation, the Grand Jury shall meet with the subject of that investigation regarding that investigation unless the court, either on its own determination or upon request of the foreperson of the Grand Jury, determines that such a meeting would be detrimental.
6. A Grand Jury shall provide to the affected agency a copy of the portion of the Grand Jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. **No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.**