



County of Santa Cruz

Civil Grand Jury
701 Ocean Street, Room 318-I
Santa Cruz, Ca 95060
(831) 454-2099

Dec 10, 2020 at 10:24 AM

The Capitola City Manager, Jaime Goldstein, left a voicemail message on the above date confirming that all responses have been furnished for the 2019-20 Grand Jury Reports. A single unified response for the City Council, City Manager, and Police Chief was submitted as the City Council response for each of the Tangled Web, Risk Management, and Homelessness reports.

Although the Capitola City Council was not assigned Recommendation R18, they added it to their unified response because it was assigned to the Police Chief.

The Correspondence Committee on behalf of

Richard H. Goldberg

Richard H. Goldberg, Foreperson
2020–2021 Santa Cruz County Civil Grand Jury



Santa Cruz County
Civil Grand Jury

Grand Jury <grandjury@scgrandjury.org>

Response Packets - City of Capitola

1 message

Woodmansee, Chloe <cwoodmansee@ci.capitola.ca.us>
To: "grandjury@scgrandjury.org" <grandjury@scgrandjury.org>

Fri, Sep 11, 2020 at 1:45 PM

Hello,

Attached are the three required response packets approved by Capitola City Council as follows:

1. The Tangled Web: Oh, What a Mangled Web We Weave (approved by Capitola City Council on August 27, 2020)
2. Managers of Risk or Victims of Risk: Rocked by the Shocks (approved by Capitola City Council on September 10, 2020)
3. Homelessness: Big Problem, Little Progress (approved by Capitola City Council on September 10, 2020)

Hard copies will be mailed this afternoon to the Honorable Judge John Gallagher, as required. If you have any questions, please feel free to get in touch with me. Thank you!

Warmly,

Chloé Woodmansee

Interim City Clerk

City of Capitola

831.475.7300 x220



3 attachments



Grand Jury Report Risk - Responses.pdf
166K



GrandJuryHomelessnessResponse_CapitolaCC_Packet.pdf
233K



grand jury reponse_website.pdf
134K



**The 2019–2020 Santa Cruz County Civil Grand Jury
Requires that the**

City of Capitola City Council

**Respond to the Findings and Recommendations
Specified in the Report Titled**

**Homelessness: Big Problem, Little Progress
It's Time To Think Outside The Box**

by September 28, 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 governing body's response approval: September 10, 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

F1. The inaccuracy of the HUD PIT Count results in significant numbers of homeless adults and children not being counted and therefore not receiving needed services.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

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

Agree. However, this is the HUD count methodology which we are required to utilize and while not ideal, the use of this consistent methodology allows for the ability to track progress over time. Our partners throughout Santa Cruz County have also successfully advocated for changes to the methodology in the past and we intend to support these continued efforts in order to better refine the tool.

F2. The lack of coordination between key stakeholders is a significant barrier to the efficient and capable implementation of homelessness solutions.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

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

Coordination between key stakeholders exists but is insufficient. There is regional coordination through the Homeless Action Partnership (HAP) that acts as the HUD mandated Continuum of Care (COC.) The HAP is a collaboration of the five jurisdictions in Santa Cruz County (the County and the Cities of Santa Cruz, Watsonville, Capitola, and Scotts Valley) along with homeless housing and services providers. However, not everything related to homelessness and addressed in this report is under the jurisdiction of the HAP. There are regional efforts to develop enhanced regional homeless governance options and we are in support of those efforts continuing to move forward.

F3. The public opposition to homeless solutions is partially due to a lack of education, engagement and political will by City and County leadership.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

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

Over the past 10 plus years, City leadership has worked to understand and tackle the complex issue of homelessness. Beginning with participation in the HAP to a leadership role in the preparation of the 2015 regional “All In” plan to end homelessness and ongoing participation in the COC/HAP. City leadership has staffed, or participated in multiple efforts to educate and engage the public on the topic of homelessness and worked in an effort to reduce opposition to a wide variety of possible solutions in our community.

The County’s commitment to taking a leadership role in the issue by expanding beyond the creation of the Homeless Services Coordinator position into developing a full division devoted to leading and coordinating homelessness related activities is beneficial for all jurisdictions and is anticipated to provide clearer education, engagement and coordination.

Generally speaking, a lack of political will is defined retrospectively when looking at failed programs and initiatives. However, it is important to point out that while not all of recommendations from various regional efforts over the years were able to gain traction, some of the solutions have been accepted and even embraced by the public. These are demonstrated by the City’s long-standing support for emergency housing assistance programs and regional sheltering options, and regional success with the Homeless Garden Project, homeless outreach and engagement efforts, such as the Santa Cruz Downtown Outreach Workers, and homelessness diversion efforts.

F4. Santa Cruz County elected officials have been unable to combat NIMBYism, which is a significant barrier to getting projects approved and built to support the homeless.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

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

Elected leaders are responsible for making difficult policy decisions for our community. Difficult policy decisions, by their nature, involve tradeoffs between competing interests. Homeless issues often involve those difficult policy decisions. While a number potential homeless programs or projects have not been implemented some have been implemented. Those decisions were made based on policy tradeoffs and competing community interests. To categorize those decisions to not implement some of those proposed programs or projects as simply a response to NIMBYism appears overly simplistic and unfair.

F5. Inconsistent and unclear funding sources and processes inhibit the effective implementation of solutions that require long term planning and sustained operations.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

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

There are funding challenges associated with homelessness that are partially due to lack of control at the local level. A significant portion of homelessness funding comes through the state and federal government, which the City has limited ability to control. There is currently no funding for homeless services that goes directly to the cities in Santa Cruz County

F6. The Homeless Action Partnership (HAP) is not organizationally equipped with the appropriate authority, structure, leadership, staff, training or processes and as a result is ineffective in its mission of reducing homelessness.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

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

Partially disagree. The HAP is a federally required COC for HUD recipients. Many of the homeless issues are outside the scope of the HAP. The ongoing work to develop a county-wide governance structure for homelessness related policies is envisioned to strengthen local homelessness response and administration thereof.

F12. There are parcels of land throughout the county that appear to be unused or underutilized, and could possibly be used to build housing for the homeless.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

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

F13. Santa Cruz County law enforcement response to homeless, addiction, and mental health issues has the potential to criminalize social, medical, and psychological conditions. This requires law enforcement to perform the role of social worker; a role for which they lack the resources and mental health training.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

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

The Capitola Police Department is committed to providing proper care and services to individuals exhibiting non-criminal behavior resulting from social issues or behaviors resulting from medical and psychological conditions. All police officers have completed Crisis Intervention Training hosted by the Santa Cruz Sheriff's Office, focusing on the need for collaborative efforts and the formation of effective partnerships with all available County resources to effectively provide assistance to less fortunate individuals suffering from homelessness, addiction and mental health issues.

The Capitola Police Department utilizes "best practice" policing models to guide our responses and interactions with any individuals or groups in need of law enforcement services including those described above. Our well-established commitment to a professional and collaborative relationship with the mental health, social service and substance abuse professionals throughout the County is a key component to success.

The primary focus of Capitola police officers related to enforcement will always be an assessment of known or potential criminal behavior rather than social, medical or psychological factors.

F14. There is a lack of leadership from County and City officials to engage the business community in exploring potential solutions to homelessness.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

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

Some engagement has occurred and more is welcome.

F16. Santa Cruz County and Cities, despite owning numerous parking lots, choose not to utilize their parking lots for safe parking programs, which results in an underutilization of resources that could help reduce homeless parking in neighborhoods and business districts.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

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

Safe parking program are in place with the County and the City of Santa Cruz through state HEAP funds. There is an ongoing effort countywide to expand and develop the project further.

F17. Faith-Based Organizations are an underutilized resource in the effort to end homelessness.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

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

Faith-Based Organizations are and have been very engaged and partner strongly throughout the region. They have had roles in county-wide and city committees and task forces to address the issue of homelessness and have brought solutions to the table that have been utilized including safe parking, temporary shelters, food, hygiene and clothing support in addition to other activities. As future opportunities arise, we welcome continued and increased engagement.

F19. Santa Cruz County lacks an organization that is accountable for tracking the cost of homelessness, allocating funding, and measuring the effectiveness of funding which results in the inability to make progress toward solving the homeless problem.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

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

Currently, there isn't a single organization with this role and responsibility. Capacity to provide this level of analytics is limited. Efforts to build capacity for accountable for tracking the cost of homelessness, allocating funding, and measuring the effectiveness of funding is ongoing. The County Human Services Department is launching a new Housing for Health Division in Fall 2020. The new Housing for Health Division will develop and track housing data and increase evaluation capacity.

F21. If underutilized parcels of land throughout Santa Cruz County were identified, such as the area near Coral Street in Santa Cruz, and the parcel adjacent to the County Government Mental Health Building in Watsonville, these parcels could potentially be used to increase the number of beds and services to support the homeless.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

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

There are underutilized parcels of land throughout Santa Cruz County not all of which could be used to increase the number of beds and services to support the homeless due to underlying zoning. The County and the City of Santa Cruz have partnered with Housing Matters to explore potential additional uses as well as reconfiguration and expansion of current services in the Coral Street area some of which have already occurred in response to COVID. Capitola has no land use control or regulatory authority over the examples cited in the finding. The City of Capitola's Housing Element identifies underutilized parcels of land within the City that could potentially be used to increase housing supply.

Recommendations

R1. Santa Cruz County and Cities should coordinate to perform a count of the number of homeless individuals in the County annually, and use that contact opportunity to encourage individuals to enroll in the Smart Path system. (F1)

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:

Budget and cost is a consideration for modifying to an annual count. Currently the County and cities participate in the bi-annual census of homeless individuals. This count involves a significant expenditure of limited public resources. This report does not cite any data indicating how performing a count more frequently would result in better information to inform local policy decision making processes. Additionally, as referenced above, utilizing the HUD PIT methodology, while imperfect, is consistent throughout and across jurisdictions which does provide for a consistent tool with which to track progress.

R2. The Santa Cruz County Board of Supervisors and City Councils should jointly develop programs, services, and housing equitably distributed throughout each district and city in the County, communicating to the public an itemized list of such and broken down by supervisorial district by July 1, 2021. (F2)

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 is no existing plan to implement. Planning work on a regional scale is happening on a broad-based engagement process. A 3-year strategic plan is under development and set for adoption in October by the County. A Santa Cruz County 6-month action plan has been adopted and underway through December and a second plan will be implemented in January 2021.

R3. By December 31, 2020, the Santa Cruz Administrative Officer (CAO) and Cities should create a Community Task Force that includes City Managers, nonprofit leaders, former homeless individuals, media personnel, community members, and political leaders to create good will, and encourage collaboration in solving homeless issues. (F3, F4)

- 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:

Governance work is ongoing. An advisory commission to the Board of Supervisors is under consideration. An interjurisdictional community task force is not under discussion at this time. Jurisdictions are partnering on immediate need matters through the COVID-19 Shelter and Care Taskforce with a limited scope to COVID response.

R4. Santa Cruz County and Cities should collaborate to develop a JPA that would be responsible for setting short and long term goals to reduce homelessness, measuring the cost of homelessness, allocating funding, and tracking the effectiveness of funding, by July 1, 2021. (F5, F6, 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:

A JPA is not feasible at this time. A governance structure is being developed. On August 4, 2020, the County Board of Supervisors approved a Santa Cruz County Homeless System Planning Six-Month Work Plan (attached) and directed County staff to coordinate with local municipalities and community partners for further consideration and implementation. The six-month work plan reflects the primary strategies and activities planned for the community-wide homelessness response for the period from July to December 2020. The first six-month work plan for the Homeless Response System includes 6 goals, the 6th of which, includes standing up a new governance, planning, evaluation, and communications structure.

R9. By December 31, 2020, the City of Santa Cruz should evaluate whether closing Coral Street permanently to thru traffic, to make more space available for additional housing and services for the homeless, would be a viable option. (F13)

- 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:

Capitola has no land use control or regulatory authority over the examples cited in the finding. The City of Santa Cruz, County of Santa Cruz, and Housing Matters are working collaboratively to evaluate the programmatic and design needs to increase access to services and shelter on Coral Street and in adjacent private property. These plans include changing traffic patterns and parking requirements on Coral Street while ensuring that current business operations remain viable and life safety requirements are met.

R12. By December 31, 2020, the Santa Cruz County Board of Supervisors and the County's City Managers should direct appropriate agencies and staff to implement a city and county wide safe parking program using the successful model of the Association of Faith Communities (AFC). This should include investigating whether college campus parking lots could be incorporated into this program. (F16)

- 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:

Safe Parking program is implemented county-wide and utilizes City of Santa Cruz and is expanding to County of Santa Cruz lots. Campuses have been engaged, not interested at this time.

R13. Santa Cruz County and Cities should coordinate a retreat for all Faith Based Organizations (FBOs) in the County to collaborate on how to work cohesively on the issue of homelessness. (F17)

- 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:

FBOs do collaborate through existing associations and ongoing efforts. Cities and County welcome participation in an FBO organized and hosted event should they decide to put one together.

R18. Santa Cruz County should create a 24-hour mobile crisis response unit that includes medical staff and an experienced crisis worker to respond to emergency 911 calls and non-emergency police calls that do not involve legal issues or threats of violence. The Santa Cruz County Board of Supervisors should work with the County’s law enforcement agencies to identify funds in their budgets that could be allocated to this program. The Grand Jury recommends the County consider using CAHOOTS (Crisis Assistance Helping Out On The Streets) in Eugene, Oregon as a model. (F13)

- 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:

The Capitola Police Department agrees that it would be ideal if Santa Cruz County could create a 24-hour mobile crisis response unit that includes medical staff and an experienced crisis worker to respond to emergency 911 calls and non-emergency police calls that do not involve legal issues and violence, which require specific training and expertise not possessed by law enforcement. Additionally, the 24-hour mobile crisis response unit could also be available when requested by law enforcement, to respond and assist at 911 calls and non-emergency police calls involving legal issues and the threat of violence once law enforcement on the scene have mitigated the legal issues and threat of violence.

However, given the current fiscal crisis faced by local governments it is unclear if resources for such an initiative will be available in the near term. The City of Capitola looks forward to working with the County to identify county-wide funding in support of this program.

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.**