



---

## Grand Jury Response from City of Watsonville

3 messages

---

**Beatriz Flores** <beatriz.flores@cityofwatsonville.org>

Fri, Aug 28, 2020 at 1:56 PM

To: grandjury@scgrandjury.org

Cc: Matt Huffaker <matt.huffaker@cityofwatsonville.org>, Tamara Vides <tamara.vides@cityofwatsonville.org>, Suzi Merriam <suzi.merriam@cityofwatsonville.org>, Rudy Lopez Sr <rudy.lopez.sr@cityofwatsonville.org>

Dear Mr. Gritton:

The Council of the City of Watsonville at its August 25, 2020, accepted and directed City staff to submit the responses to the following Grand Jury reports:

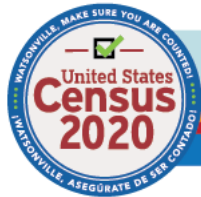
- 1) Risk Management
- 2) Homelessness
- 3) Fire & Safety Inspections
- 4) Tangled Website

Also included is the Staff Reports.

Please don't hesitate to contact me if you have any questions.

bc: Council

Sincerely,



**Beatriz Vázquez Flores, MMC**

City Clerk - (831)768-3040 or (831)768-3042

275 Main St., Suite 400, Watsonville CA, 95076

[beatriz.flores@cityofwatsonville.org](mailto:beatriz.flores@cityofwatsonville.org)

Business Hours: 8:00 am to 5:00 pm Monday - Friday.

---

### 5 attachments



**7.D. 2020 Grand Jury Tangled Web.pdf**  
504K



**7.D. 2020 Grand Jury Fire Inspections.pdf**  
496K



**7.D. 2020 Grand Jury Risk.pdf**  
560K



**7.D. 2020 Grand Jury Homelessness.pdf**  
763K



**Item 7.D. 2020 Grand Jury Staff Report.pdf**  
1262K

City of Watsonville  
City Manager's Office

MEMORANDUM



**DATE:** August 21, 2020

**TO:** Matthew D. Huffaker, City Manager

**FROM:** Tamara Vides, Deputy City Manager  
Raunel Zavala, Administrative Analyst

**SUBJECT:** Response Packet to the Santa Cruz County Civil Grand Jury's Investigation of Assessing Risk Management, Homelessness, Fire and Safety and the City's Website

**AGENDA ITEM:** August 25, 2020 City Council

---

**RECOMMENDATION:**

It is recommended that the City Council by Motion, approve the response packets prepared for the 2019-2020 Santa Cruz County Grand Jury's Investigation on four specific topics: 1) **Managers of Risk or Victims of Risk - Rocked by the Shocks** 2) **Homelessness: Big Problem, Little Progress – It's Time to Think Outside the Box** 3) **Fire and Safety Inspections in Santa Cruz County, and** 4) **The Tangled Web - Oh, What a Mangled Web We Weave...**

**DISCUSSION:**

The Santa Cruz County Civil Grand Jury prepared four reports addressing issues in the Watsonville community and requested that the Council prepare responses to several findings and recommendations made in each of the reports. The County and all four cities within the County received these reports and were compelled to respond.

The Grand Jury looks for contact information, budget data, policies and procedures, etc. to conduct their investigation. They aim to capture the experience a member of the public would have when trying to access information, assess impact and value of city services and review transactions of the public entity. The reports contain findings by the 2019-2020 Grand Jury and offer recommendations for consideration and ongoing improvement of operations.

All four Grand Jury reports are attached; below is a summary of the areas of interest for each issue reviewed and some highlights of the recommendations made by the Grand Jury:

**Managers of Risk or Victims of Risk - *Rocked by the Shocks:***

This report examines the current level of financial risk for Santa Cruz County (SCC) cities, the causes and likely impacts of that risk, and the risk management practices of our cities. The Grand Jury found that the cities of SCC do not practice formal, integrated risk management for the range of risks and impacts they regularly confront. They recommend the cities study ways

to implement more comprehensive practices with regard to risk identification, evaluation, mitigation, and communication.

**Homelessness: Big Problem, Little Progress – *It's Time to Think Outside the Box:***

The Grand Jury prepared a report on homelessness in Santa Cruz County. The Grand Jury identified five main reasons the homeless problem persists. First, the community views homelessness as a problem that should be addressed by elected officials; second, the County lacks an effective governance structure with the authority to manage the complexity and size of the homeless problem; third, there are insufficient resources to support those affected by homelessness; fourth, there is an underutilization of existing resources in the County; and fifth, the County lacks comprehensive and effective data collection and analysis systems.

Solutions to these problems are complex. However, steps can be taken to enable Santa Cruz County to more effectively manage the homeless crisis, which has become even more of a challenge due to the COVID-19 pandemic. The Grand Jury report illuminated local barriers to homelessness relief, and proposed solutions. They found that ending homelessness will provide significant benefits to the entire community far beyond the relief to the individuals receiving services.

**Fire and Safety Inspections in Santa Cruz County:**

The Grand Jury found that fire agencies in Santa Cruz County, are responsible for not only responding to emergencies but assisting in prevention. One aspect of prevention is ensuring compliance with fire and safety codes, especially in facilities housing the most vulnerable. Now with fire danger and respiratory illness at all-time highs, this responsibility is as important as it has ever been.

The Grand Jury found that California health and safety codes require fire and safety inspections be performed annually for schools and multifamily residences. Annual reports to the governing body are required. The Grand Jury found that many of the County's fire agencies do not fully comply with mandated inspection and reporting, and recommends that the status of these inspections, especially those involving public facilities, be communicated to the public and that gaps in compliance or the ability to inspect be addressed in the 2021 budgeting cycle.

**The Tangled Web - Oh, What a Mangled Web We Weave...:**

The Grand Jury found that website information is sometimes missing, out-of-date, and inaccurate; links may be broken. They found website content providers do not explain content. They concluded that the City lacks a process to review content accuracy and currency to assure timely correction and revision of content. The Grand Jury also noted that the City's goals for website redesign or quality improvement are not sufficiently "SMART" (Specific, Measurable, Attainable, Relevant and Time Bound).

All Grand Jury findings and recommendations have been reviewed and answered by staff. It is recommended that the Council review and approve by motion the responses to these reports and file the City of Watsonville responses with the Grand Jury by each of their due dates.

**FINANCIAL IMPACT:**

There is no financial impact associated with filing responses to the Grand Jury report.

**ALTERNATIVES:**

The Council may choose not to approve the Response Packet, or to modify the responses.

**ATTACHMENTS:**

- 1) SC Grand Jury Reports and City Responses – Risk Management
- 2) SC Grand Jury Reports and City Responses – Homelessness
- 3) SC Grand Jury Reports and City Responses – Fire & Safety Inspections
- 4) SC Grand Jury Reports and City Responses – Website

cc: City Attorney



**The 2019–2020 Santa Cruz County Civil Grand Jury  
Requires that the  
Watsonville City Council  
Respond to the Findings and Recommendations  
Specified in the Report Titled  
Fire and Safety Inspections in Santa Cruz County  
by September 23, 2020**

---

When the response is complete, please

1. Email the completed Response Packet as a file attachment to [grandjury@scgrandjury.org](mailto: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: \_\_\_\_\_

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](mailto:grandjury@scgrandjury.org).

## Findings

**F2.** The City of Watsonville Fire Department has not adequately inspected all schools, hotels, apartments, and licensed residential care facilities for fire and safety per California Health and Safety Code sections 13146.2, 13146.3, 13146.4, and 171921(b).

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

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

Watsonville Fire Department continues to work towards achieving full compliance of all mandated occupancies as required by the California Health and Safety Code sections 13146.2, 13146.3, 13146.4, and 171921(b). The Watsonville Fire Department has continually increased the amount of completed mandated inspections each year. The Department is committed towards increasing the amount of inspections as we work towards achieving 100% compliance. However, in the Grand Jury report, we did find discrepancies between the number of schools, hotels, apartments, and licensed residential care facilities reported by the Grand Jury and what Watsonville Fire Department has on record. For example, The Grand Jury Report states in its report that Watsonville Fire Department in 2019 failed to inspect seven of its 21 schools. However, there is a discrepancy in the number of schools on record of the Watsonville Fire Department versus those in the report. The Department has 19 schools on record, of which 17 were inspected and are in compliance. Furthermore, two of the seven schools shown out of compliance on the Grand Jury report, Pajaro Middle School and Calabasas Elementary School, are outside the City of Watsonville and one is in Monterey County; therefore, both are outside the jurisdiction of the Watsonville Fire Department. The other two schools, E.A. Hall and T.S.Macquidy Elementary, were not inspected in 2019, but they have been inspected in the past and will be inspected in future years.

The Grand Jury Report also states that Watsonville Fire Department has 42 identified apartments and inspected 29 in 2019. Department records for 2019, indicate, that we have 99 apartments in the City of Watsonville and 75 of those were inspected that same year with a total of 24 apartments uninspected.

Regardless of the discrepancies between department records and the Grand Jury report, Watsonville Fire Department is committed towards gaining full compliance of all annually mandated inspections specified in the California Health and Safety Code sections 13146.2, 13146.3, 13146.4, and 171921(b). In 2020, despite of the pandemic and challenges with in-person activities the Department is on track to complete all required inspections.

**F5.** Fire Agencies serving the incorporated and unincorporated areas of Santa Cruz County have not adequately reported inspection performance and the inherent risk associated with a performance gap to residents and leadership external to the governing body.

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

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



**F6.** Fire agencies serving the incorporated and unincorporated areas of Santa Cruz County would benefit by sharing technology and processes and at times personnel, in fulfilling fire inspection requirements.

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

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

The City of Watsonville Fire Department participates in a county wide Fire Prevention Officers Association that regularly meets once a month. The goal of the association is to share technology, address fire prevention issues such as code enforcement, review, develop, and adopt standards as they relate to the County of Santa Cruz.

The Watsonville Fire Department is currently facing staffing issues. These issues include staffing of our fire prevention division. The sharing of personnel is not a realistic option for our County fire departments. As with our auto and mutual aid agreements, there is a level of reciprocity that is expected when providing these types of support and assistance to neighboring jurisdictions which have an associated cost to it. Our Fire Department is not in a position to reciprocate any personnel support provided by neighboring agencies for fire and life safety inspections.

**F7.** Reporting gaps in fire inspection performance to a governing body annually at a time when that governing body is completing its budgeting process makes making budget adjustments prior to budget adoption unnecessarily challenging and may result in delay.

**AGREE**

**PARTIALLY DISAGREE** – explain the disputed portion

**DISAGREE** – explain why

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

## Recommendations

R1. Fire agencies serving the incorporated and unincorporated areas of Santa Cruz County should comply, as soon as possible, with state health codes for fire and safety inspections and reporting. Specifically, California Health and Safety Code sections 13146.2, 13146.3, 13146.4, and 171921(b). (F1, F2, F3, F4, F8)

- 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:

Watsonville Fire Department has conducted an analysis of all mandated inspections specified under California Health and Safety Code sections 13146.2, 13146.3, 13146.4, and 171921(b). Occupancies that fall under the Health and Safety code for inspection have been identified and will be inspected by the end of 2020. Watsonville Fire Department is committed to reaching full compliance with the requirements of the Health and Safety Code.

**R2.** Fire agencies serving the incorporated and unincorporated areas of Santa Cruz County should, as soon as possible, ensure inspection plans reflect all facilities that fall under California Health and Safety Code sections 13146.2, 13156.3, and 171921(b). (F1, F2, F3, F4, F5,F8)

- 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:**

Under our current plan, we have identified all mandated occupancies that fall under California Health and Safety Code sections 13146.2, 13146.3, 13146.4, and 171921(b). We began inspections of those occupancies prior to the request from the Grand Jury and will continue to work towards compliance with the requirements of the Health and Safety Code.

**R3.** Fire agencies serving the incorporated and unincorporated areas of Santa Cruz County should, by January 2021, publish a summary of annual inspection findings on their websites. (F1, F2, F3, F4, F5, F7, F8)

**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:**

As part of our fire inspection plan, we will provide a summary of our annual inspection report on our website that will also include our Self Inspection Program data which is not mandated by the California Health and Safety code. Publishing of the data on the City's website will take place by January, 2021. At which time, reported data will be for inspections completed during calendar year 2020.

**R4.** The County of Santa Cruz and the City Fire Departments in the County should notify appropriate County or City leadership of the resources necessary to be compliant with inspection requirements early enough to be addressed during the agency's annual budgeting process. (F7)

**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 Watsonville Fire Department plans is to provide our City Council with an update on the status of our inspection program progress and any potential needed resources by the mid-year budget review.

**R5.** The County and City fire agencies should amend their mutual aid agreements to provide for sharing of technology and inspection resources by June 30, 2021. (F6)

- 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:**

As stated previously in (F6) there is a level of reciprocity that is expected when providing these types of support and assistance to neighboring jurisdictions which have an associated personnel cost to it. Watsonville Fire Department is not in a position to reciprocate any personnel support provided by neighboring agencies for safety inspections. In other areas of operation, Fire agencies in the County have strong mutual aid agreements that ensure the safety of all county residents. Equipment, technology, training and strategies are often shared by agencies across the County.

## 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.**