



SANTA CRUZ COUNTY
Civil Grand Jury

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Honoring Commitments to the Public

Review of 2020-21 Grand Jury Report Responses

Summary

The value of Grand Jury reports and recommendations comes when government agencies actually improve their transparency and efficiency. It typically takes two years for results to be measurable.

The 2023-24 Santa Cruz County Civil Grand Jury reviewed local government responses to three of the nine 2020-21 Grand Jury reports. The other six (6) reports were in compliance. The purpose was to determine whether the named local government officials and their agencies met their stated commitments. Following through on these commitments is required by California Penal Code section 933.05.

In two cases, the agencies promised to take action at some unspecified time in the future. This is not an appropriate response. The specific time action will be taken is required to be specifically stated.

The Grand Jury investigation on those two cases discovered that there was significant action taken, though in the case of one report Grand Jury recommendations were not fully implemented. In the third case, the specific recommendations could not be addressed due to changing circumstances. The reports reviewed, and agency actions, are below:

- *Santa Cruz County Agricultural Commissioner's Office Can Get By with a Little Help from its Friends*: The Commissioner's Office still has work to do. Four new recommendations have been made to address the original recommendation, which is still unmet.
- *Wildfire Threat to the City of Santa Cruz*: Commitments were partially met.
- *The CZU Lightning Complex Fire - Learn...or Burn?*: Commitment has been met.

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Background

Each year the Santa Cruz County Civil Grand Jury (Grand Jury) investigates local government operations. It then issues reports with the goal of improving government efficiency and effectiveness, and promoting accountability and transparency. The Grand Jury reports make recommendations for improvements. When called for in the report, elected local government officials and governing bodies are required to respond to the Grand Jury's findings and recommendations.

Each investigated organization receives a copy of the Grand Jury's report and a response packet that includes the instructions. They send their responses to the presiding judge of the Superior Court with a copy to the Grand Jury. Elected officials must respond within 60 days and governing bodies are required to respond within 90 days.

Only governing bodies and elected county officers are required to respond to Grand Jury reports. However, the Grand Jury may invite a response from other "responsible officers" such as the chief administrative officer of a government function.

Readers interested in a more comprehensive look at the Grand Jury reports and responses are encouraged to read the original reports and responses. All may be found on the County's Grand Jury web page in the Reports section.

Scope and Methodology

For this Honoring Commitments report, the Grand Jury reviewed responses to the following three 2020-21 reports:

- *Santa Cruz County Agricultural Commissioner's Office Can Get By with a Little Help from Its Friends.*^[1]
- *Wildfire Threat to the City of Santa Cruz*^[2]
- *The CZU Lightning Complex Fire – Learn...or Burn?*^[3]

The 2023-24 Grand Jury has followed up with the responding agencies for these selected reports. The Grand Jury wanted to know whether the agencies actually did implement recommendations as they said they would, or that they did the further analysis, and what the outcome was. Without follow-up these recommendations can fall by the wayside and drop out of public view.

Online research of websites, news articles, and published reports as well as interviews were all employed by the Grand Jury to investigate these issues.

Grand Juries are authorized to review report responses for each of the following categories. However, the responses in this report address only categories 2 and 3 as listed below:

1. HAS BEEN IMPLEMENTED – provide a summary of the action taken,
2. HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE – provide a timeframe or expected date for implementation,

3. REQUIRES FURTHER ANALYSIS – provide an explanation, scope, and parameters of an analysis to be completed within six months, or
4. WILL NOT BE IMPLEMENTED – provide an explanation of why it is not warranted or not reasonable.

Investigation

1. Santa Cruz County Agricultural Commissioner's Office Can Get By with a Little Help from Its Friends

This report from the 2020-21 Grand Jury had to do with managing resident notification gaps related to agricultural pesticide applications near schools and neighborhoods.

The Watsonville City Council responded to public demands for advance notice of pesticide use in nearby neighborhoods with a City Council resolution.

It was believed that the Santa Cruz County Agriculture Commissioner's office could post the submitted and approved notices online, indicating that pesticide application was about to take place.^[1]

2020-21 R2: Recommendation by Grand Jury

Within six months, the Board of Supervisors should assess and initiate online posting, text, or email notification of pesticide applications for nearby neighborhoods.^[4]

2020-21 R2: Response and Explanation from Santa Cruz County Board of Supervisors

WILL NOT BE IMPLEMENTED – explain why

Our County has been engaged with community members residing next to farms that may have questions or want information about the use of pesticides. These engagement efforts are led by the Agricultural Commissioner who works with our growers and community members to encourage more communication.

The California Department of Pesticide Regulation (DPR) is in the early stages of assessing feasibility for a statewide notification program and DPR is the appropriate agency to lead these efforts to ensure a program that is equitable and consistent across the State.^[5]

2020-21 R3: Recommendation by Grand Jury

Within six months, the Board of Supervisors should lobby the state and the Department of Pesticide Regulation to require that specific location information useful to the public be included on forms such as the Restricted Material Permits and the Notice of Intent forms.^[4]

2020-21 R3: Response and Explanation from Santa Cruz County Board of Supervisors

WILL NOT BE IMPLEMENTED – explain why

These efforts are already underway by the California Department of Pesticide Regulation (DPR). DPR is in the early stages of engaging stakeholders on the development of a statewide pesticide notification program. DPR plans to have listening sessions with communities throughout the State later this year to receive feedback and comments regarding information that would be important as part of any notification process including more site-specific information. Input from communities and stakeholders will drive the specific information that will be included on notifications and whether Restricted Material Permits and Notices of Intent are the best outlets to provide this information. It is possible that notification information may be provided in a different format in an effort to make the information comprehensive.^[5]

2023-24 Grand Jury Follow-up to R2 and R3

Even though the responses to these recommendations were neither:

HAS BEEN IMPLEMENTED nor

HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE,

the 2023-24 Grand Jury assessed that the responses did require follow-up to assure the public that the issue is being addressed.

The 2023-24 Grand Jury did research on the California Department of Pesticide Regulation website, and interviewed personnel in the Santa Cruz County Agricultural Commissioner's Office as well as officials of the City of Watsonville.^[6]

The Grand Jury learned that the DPR is indeed developing a new system of notification for agricultural pesticide applications statewide, called "Spray Days Now." A preliminary version of that application has been tested in four California counties, including Santa Cruz County. The testing was done with the participation of the Santa Cruz County Agricultural Commissioner and several residential communities near agricultural fields.^{[6] [7] [8]}

The program has two modes of operation. The first is passive. It allows anyone to go to a specific website where they will be presented with a map of California. The user can then drill down on the map to their (or any) specific location and locate any planned pesticide application in that area. The second mode is more active. It allows a user to sign up to be notified anytime a pesticide application is to be made in an area near their home, business, school, etc.^[7]

This new program was initially scheduled to be rolled out in the spring of 2024, but due to various project issues it is now expected to be ready by spring of 2025.^[7]

The Grand Jury found, through interviews with officials at the county and city levels, that information about the new program being developed by the CDP has not been successfully communicated to impacted south county city officials.

The County Agricultural Commissioner's Office is the primary liaison to the state Department of Pesticide Regulation. The information in this section was largely furnished by the Commissioner's Office. To corroborate this data, fact finding with other agencies such as the City of Watsonville or Pajaro Valley School District was done. The Grand Jury did not observe content reflecting the plan on those agency websites and was not briefed on it by those agencies based on interviews.^{[8] [9]}

The Grand Jury did learn some good news from the County Agricultural Commissioner. As science progresses, less toxic pesticides are being developed and released regularly. This reduces the severity of health and environmental impacts in the community. There is also growth in the organic control of pests, again reducing hazards to the public. In addition, many growers in Santa Cruz County are now investing in artificial intelligence driven machines, such as one that goes through the crop fields and vacuums up any unwanted insect pests, and one that can selectively destroy weeds with laser beams, avoiding the crop plants. These methods further reduce negative impacts and allow the growers to continue producing high quality agricultural products.^[7]

Findings

- F1.** The California Department of Pesticide Regulation is developing a new system of notification for agricultural pesticide applications statewide and the proof of concept shows promise of being a good solution for notifying the public of pesticide application information in a timely manner.
- F2.** The Active and Passive modes of notification will allow access to members of the public in a manner of their choosing. Some people are comfortable signing up for notifications, others are not and would prefer to look up the information anonymously. This appears to provide most people the option to choose the method with which they are most comfortable.
- F3.** Because project delays have put off the release of the new system until the Spring of 2025, rather than 2024 as originally proposed, it is even more important that the public be made aware of what the new system will provide to them.
- F4.** As science progresses, less toxic pesticides are being developed and released regularly, and growers are finding acceptable alternatives to many pesticides. Less toxic pesticide use in Santa Cruz county is leading to lower risks to human and environmental health.
- F5.** Communication between the Agricultural Commissioner's Office and other south county officials concerning pesticide management is not adequate, leading to a higher risk to human health.

Recommendations

- R1.** The Grand Jury recommends that the Office of the Agricultural Commissioner makes known to City of Watsonville officials and various governmental agencies information about advances in agricultural pest control, including less toxic pesticides and alternative methods of pest eradication. This information should be shared by September 30, 2024. (F4, F5)
- R2.** The Grand Jury recommends that the Office of the Agricultural Commissioner inform the public about advances in agricultural pest control, particularly to residents in areas commonly exposed to pesticide applications. This should be completed by October 15, 2024. (F4, F5)
- R3.** The Grand Jury recommends that the Office of the Agricultural Commissioner makes known to City of Watsonville officials and various governmental agencies, information about the “Spray Days Now” notification system being developed by the state DPR. Information should be shared by September 30, 2024. (F1, F2, F3, F5)
- R4.** The Grand Jury recommends that the Office of the Agricultural Commissioner communicate information to the public about the “Spray Days Now” notification system being developed by the state DPR, especially in areas impacted by pesticide use. This should be completed by October 15, 2024. (F1, F2, F3, F5)

2. Wildfire Threat to the City of Santa Cruz

The Grand Jury of 2020-21 investigated the high risk probability of wildfires, especially in areas surrounding the City of Santa Cruz known as the Wildland Urban Interface Area (WUI). The Grand Jury wanted to know how the high risk of wildfires was being addressed and our level of preparedness. The 2020-21 report specifically addressed the issue of homeless encampments and how they contributed to wildfire risk in WUI areas of the city.^[2]

2020-21 Grand Jury Report, Recommendation R2

In the next three months, the City Council needs to have more transparent and formal coordination with the county on management of homeless resources.^[2]

2020-21 R2: Response and Explanation from Santa Cruz City Council

Has not yet been implemented but will be in the future.

The 2x2 Committee, consisting of the City’s Mayor and Vice Mayor as well as the County Supervisors from Districts 3 & 5, meets every other week on homelessness issues. The Mayor and Vice Mayor provide a verbal report on those discussions at Council meetings on a monthly basis. County/City coordination through the Homeless Action Partnership has not been as transparent as it could be; however, the County has proposed a new charter to regional participants and it should increase transparency. It has been adopted by the HAP and is proceeding with consideration by cities and the county.^[2]

2023-24 Grand Jury Follow-up and City Response to R2

The following is an excerpt from the Office of the City Manager of Santa Cruz in response to the Grand Jury's request for their follow-up to recommendations made in the 2020-21 Grand Jury report Wildfire Threat to the City of Santa Cruz:

City and County representatives began informally meeting in 2016. In January of 2018, both the City and the County formalized their respective agencies' participation and communication through a committee known as the 2x2. The 2x2 was composed of two members from the County Board of Supervisors and two members from the City Council to improve coordination between the agencies regarding homelessness issues. The goal was to form a regional response, in partnership with the County, to strengthen City efforts to improve how we respond to the homelessness crisis.

In January of 2022, the Santa Cruz County Housing for Health Partnership (H4HP) Policy Board was created to replace the Homeless Action Partnership (HAP) oversight groups. The newly created H4HP serves as the federally designated Housing and Urban Development Department (HUD) Continuum of Care (CoC) Board for Santa Cruz County and coordinates resources, programs, and services focused on preventing and ending homelessness.^{[10][11]}

Prior to the creation of the H4HP Policy Board, the HAP CoC oversight groups included staff from the County's four cities, the County, a member of the health sector, members from various non-profits serving the homeless community, and those with lived experience. The HAP groups did not include elected officials. Subsequently, changes were made to the CoC governance structure to ensure broader and deeper engagement of City and County leaders in the CoC planning and decision-making process, with the additional option to include elected officials from the cities and the County on the Policy Board. The current Policy Board membership overlaps with individuals historically involved with the 2x2 and HAP. The City of Santa Cruz has two seats on the policy board, which may be filled by elected officials, government staff, or other citizens. Therefore, the 2X2 was eliminated, however staff continue to meet on a bi-weekly basis. to collaborate on projects of mutual interest related to homelessness.^{[12][13][14]}

Grand Jury research found that the Santa Cruz County Housing for Health Partnership is in place. This group is a collaboration between the County's Human Services Department and a coalition of partners and resources for the purpose of preventing and ending homelessness within our County. The partnership includes a wide variety of members from the community including Santa Cruz City Council members, Board Supervisors, agency representatives, and County senior-level employees.

In March 2019 the Partnership began developing the Healthy Santa Cruz County Strategic Framework. The Framework contains steps aimed to reduce "unsheltered and overall homelessness countywide by January 2024." The Framework outlines a detailed plan to accomplish this goal.^[15]

With regard to the City Manager’s response to 2020-2021 Recommendation R2, the City has met its commitment to formally collaborate with the County for the purpose of managing homeless resources and reducing homelessness in our County.

2020-21 R8: Recommendation by Grand Jury

In the next six months, the City Council should produce a detailed plan and accounting of how the federal and state homeless funds are used.^[2]

2020-21 R8: Response and Explanation from Santa Cruz City Council

Has not yet been implemented but will be in the future.

The City has detailed information on how all state and federal funds received to date have been spent. The City received additional, direct funding from the state as part of the current state budget, and the requirements for how that will be spent and what that will fund are still to be determined. Similarly, direct funding from the American Rescue Act will go towards homelessness, but specifics related to that spending and the associated limitations are still to be determined. City staff are working with a consultant to provide a consolidated report on various City expenditures, including prior and upcoming state and federal fund expenditures.

2023-24 Grand Jury Follow-up and City Response to R8

The following is an excerpt from the Office of the City Manager of Santa Cruz in response to the Grand Jury’s request for their follow-up to recommendations made in the 2020-21 Grand Jury report Wildfire Threat to the City of Santa Cruz:

A detailed plan for the use of funds was originally developed in March of 2022. The cost projections were revised in May of 2022. Further updates to the budget were presented to the City Council in December of 2022. During the budget presentations to the City Council for FY24, a summary of expenditures was presented to the City Council on May 23, 2023.^{[12] [16]}

The City’s response to the Grand Jury’s 2020-21 report states that the City has “detailed information on how all state and federal funds received to date have been spent.” Yet no such information appears to have been provided.

The City’s FY 2024 Annual Budget attached to the May 23, 2023 City Council meeting contains only high level revenue and expenditure line items for Homeless Response Program Funds. Revenues of \$14M in 2022 appear to be a lump sum to be spread over an unknown number of years. Overall expenditure figures for 2022 (actual), 2023 (adopted budget), and 2024 (adopted budget) total approximately \$20M.

Finding

- F6.** With regard to the City Manager’s response to Recommendation R8, the City’s FY 2024 Annual Budget does not provide a detailed plan and accounting of how homeless funds have been used. The City’s response only partially fulfilled its commitment to make related budget figures available.

Recommendations

- R5.** Within 90 days the City Manager should publish the figures that their initial response indicated were available for prior for years. (F6)
- R6.** Within 90 days the City should publish the summary of expenditures as presented to the City Council in May 2023 that expand on the figures provided in the FY 2024 Annual Budget. (F6)

3. The CZU Lightning Complex Fire – Learn...or Burn?

The CZU Lightning Complex fires of August 2020 were ignited by over three hundred lightning strikes in the counties of Santa Cruz and San Mateo. The fires burned for thirty seven days creating the largest wildfire in the history of Santa Cruz County. The 2020-21 Grand Jury wanted to know how the governmental response to the fire measured up and whether it could be deemed prepared for the next wildfire eventuality.^[3]

2020-21 R3: Recommendation by Grand Jury

Within the next six months, the Board of Supervisors should require that CAL FIRE produce timely after-action reports for all major incidents.^[3]

2020-21 R3: Response and Explanation from Santa Cruz County Board Of Supervisors

Requires further analysis

CAL FIRE, as County Fire has participated in County after action reviews and participates in monthly coordination meetings with law enforcement, CAO, and The County Fire Chiefs Association met to discuss lessons learned and continues to meet and work together. Substantive concerns at the State level are outside the local span of control to address. County Fire and its State CAL FIRE partners provided a professional response under considerable strain from the magnitude of this incident.^{[3] [17]}

2023-24 Grand Jury Follow-up and Santa Cruz County Board Of Supervisors Response to R3

The following is the response from the Director of the Office of Response, Recovery and Resiliency (OR3), David Reid, on behalf of the Board of Supervisors 2023-24:

CAL FIRE has and will participate in After Action Reviews conducted by the County Office of Response, Recovery and Resilience for all major incidents that impact the County. OR3 is coordinating closely with CAL FIRE as County Fire on Wildfire Prevention activities, the County of Santa Cruz Emergency Operations Plan update, and alert and warning practices.^{[17] [18]}

In addition to the above statement from the Office of Response, Recovery and Resiliency, the Grand Jury acquired a copy of a report titled *2020 CZU Lightning*

Complex Fire: After-Action Report and Improvement Plan, published on December 7, 2021.^[19] The purpose of the report was to provide an analysis of the strengths and weaknesses of the Emergency Operation Center's (EOC) core capabilities and identify improvement strategies.

The County of Santa Cruz and coordinating response partners held feedback sessions in order to assess the successes and failures of the CZU response. CAL FIRE is listed in Appendix C of the After-Action Report as a contributing partner although it is difficult to determine to what extent CAL FIRE participated.

These sessions produced an extensive list of emergency management program opportunities for improvement and functional gaps. At the time the report was published, working groups had been meeting weekly to bi-weekly to address the prioritized improvement goals. At that time several process improvements had been completed. Several others were under development or not yet started.

The 2023-24 Grand Jury is pleased with the thoroughness and completeness of the response to the Grand Jury's recommendation.

Finding

F7. The joint effort between CAL Fire and OR3, as well as many other partners listed in the report, to improve preparedness for future wildfires is well-documented in the above-mentioned *After-Action Report and Improvement Plan*. Furthermore, the Grand Jury's recommendation that this undertaking commence within 6 months of the Grand Jury report publication did take place in the allotted time period. However, the Grand Jury did not find the original report or any published updates to the initial report that included progress towards the report's stated objectives. Such publications would reassure the public that wildfire preparedness is a priority and is being addressed.

Recommendation

R7. The Grand Jury requests an update as to the progress to date of the objectives outlined in the December 2021 After-Action Report in Appendix A: CORE CAPABILITIES / IMPROVEMENT PLAN and further requests that the OR3 publish this update on its website. (F7)

Conclusion

As previously mentioned in the Summary, the 2023-24 Grand Jury reviewed responses to three of the nine 2020-21 reports and found that, to varying degrees, commitments were kept. In some cases, the agencies are implementing recommendations but it's not clear if the actions are in response to the Grand Jury or whether they were instigated by the agencies. The Grand Jury continues to recommend that all organizations create and regularly update formal records of the actions they take to address Grand Jury recommendations, and to share those records with the public, in accordance with CA Penal Code section 933(c).

Required Responses

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Santa Cruz County Board of Supervisors	F1–F5, F7	R1–R4, R7	90 days September 16, 2024
Santa Cruz City Council	F6	R5, R6	90 days September 16, 2024

Invited Responses

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Santa Cruz County Agricultural Commissioner	F1–F5	R1–R4	90 days September 16, 2024
Santa Cruz City Manager	F6	R5, R6	90 days September 16, 2024
Director, Santa Cruz County Office of Response, Recovery and Resiliency	F7	R7	90 days September 16, 2024

Definitions

- CAO:** Chief Administrative Office
- EOC:** Emergency Operation Center
- DPR:** Department of Pesticide Regulation
- H4HP:** Housing for Health Partnership
- HUD:** US Department of Housing and Urban Development
- OR3:** Office of Response, Recovery and Resiliency
- WUI:** Wildland Urban Interface area
- HAP:** Homeless Action Partnership

Sources

References

1. 2020-2021 Santa Cruz Civil Grand Jury. June 29, 2021. *2020-21 Grand Jury Report. Santa Cruz County Agricultural Commissioner's Office Can Get By with a Little Help from Its Friends*. Accessed March 20, 2024. https://www.santacruzcountycga.gov/Portals/0/County/GrandJury/GJ2021_final/7_AgComm_Report.pdf

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3. 2020-2021 Santa Cruz Civil Grand Jury. June 24, 2021. *2020-21 Grand Jury Report. The CZU Lightning Complex Fire – Learn...or Burn?* Accessed February 25, 2024. https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2021_final/8_AfterCZU_Report.pdf
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 17. County of Santa Cruz Fire Department Advisory Commission. (no date). "Minutes of March 16, 2022 Meeting." *Santa Cruz County Fire Department*. Accessed April 26, 2024. https://santacruzcountyfire.com/wp-content/uploads/2022/09/fdac_min_3-16-22.pdf
 18. Confidential Grand Jury document.
 19. Confidential Grand Jury document.
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Websites

California Department of Pesticide Regulation, Statewide Pesticide Application Notification System https://www.cdpr.ca.gov/docs/pesticide_notification_network/

Housing for a Healthy Santa Cruz County Strategic Framework
https://housingforhealthpartnership.org/Portals/29/hap/pdf/2021_HousingForHealth-Framework.pdf

City of Santa Cruz FY 2024 Annual Budget
<https://www.cityofsantacruz.com/home/showpublisheddocument/93316/638283949368870000#page=367>



SANTA CRUZ
COUNTY
GRAND JURY

Grand Jury <grandjury@scgrandjury.org>

Board of Supervisors Response to Grand Jury Report "Honoring Commitments to the Public..."

Caitlin Smith <Caitlin.Smith@santacruzcountyca.gov>

Tue, Sep 10, 2024 at 3:06 PM

Good Afternoon,

Please see attached for the Board of Supervisors' response to the 2023-2024 Grand Jury Report "Honoring Commitments to the Public – Review of 2020-21 Grand Jury Report Responses."

Best,

Caitlin C. Smith

County Supervisors' Analyst

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To email all five members of the Board of Supervisors at once,

please use: boardofsupervisors@santacruzcountyca.gov

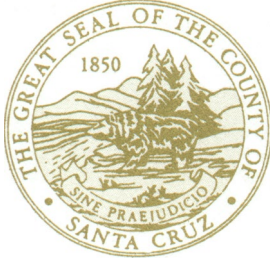
2 attachments



Cover Letter Honoring Commitments to the Public.pdf
195K



Response to Grand Jury report Honoring Commitments to the Public.pdf
505K



County of Santa Cruz

BOARD OF SUPERVISORS

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ZACH FRIEND
SECOND DISTRICT

JUSTIN CUMMINGS
THIRD DISTRICT

FELIPE HERNANDEZ
FOURTH DISTRICT

BRUCE MCPHERSON
FIFTH DISTRICT

September 10, 2024

The Honorable Katherine Hansen
Santa Cruz Courthouse
701 Ocean Street
Santa Cruz, CA 95060

Dear Judge Hansen,

The purpose of this letter is to formally transmit the Board of Supervisors' response to the 2023-2024 Grand Jury Report "Honoring Commitments to the Public – Review of Grand Jury Report Responses."

Sincerely,

JUSTIN CUMMINGS, Chair
Santa Cruz County Board of Supervisors

JC:cs
Attachments

CC: Clerk of the Board
Santa Cruz County Grand Jury



The 2023–2024 Santa Cruz County Civil Grand Jury
Requires the

Santa Cruz County Board of Supervisors

to Respond by September 16, 2024

to the Findings and Recommendations listed below
which were assigned to them in the report titled

Honoring Commitments to the Public

Review of 2020-21 Grand Jury Report Responses

Responses are **required** from elected officials, elected agency or department heads, and elected boards, councils, and committees which are investigated by the Grand Jury. The California Penal Code (PC) [§933\(c\)](#) requires you to respond as specified below and to keep your response on file.

Your response will be considered **compliant** under [PC §933.05](#) if it contains an appropriate comment on **all** findings and recommendations **which were assigned to you** in this report.

Please follow the instructions below when preparing your response.

Instructions for Respondents

Your assigned [Findings](#) and [Recommendations](#) are listed on the following pages with check boxes and an expandable space for summaries, timeframes, and explanations. Please follow these instructions, which paraphrase [PC §933.05](#):

1. **For the Findings, mark one of the following responses with an “X” and provide the required additional information:**
 - a. **AGREE with the Finding**, or
 - b. **PARTIALLY DISAGREE with the Finding** – specify the portion of the Finding that is disputed and include an explanation of the reasons why, or
 - c. **DISAGREE with the Finding** – provide an explanation of the reasons why.
2. **For the Recommendations, mark one of the following actions with an “X” and provide the required additional information:**
 - a. **HAS BEEN IMPLEMENTED** – provide a summary of the action taken, or
 - b. **HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE** – provide a timeframe or expected date for completion, or
 - c. **REQUIRES FURTHER ANALYSIS** – provide an explanation, scope, and parameters of an analysis to be completed within six months, or
 - d. **WILL NOT BE IMPLEMENTED** – provide an explanation of why it is not warranted or not reasonable.
3. **Please confirm the date on which you approved the assigned responses:**

We approved these responses in a regular public meeting as shown
in our minutes dated September 10, 2024.

4. **When your responses are complete, please email your completed Response Request as a PDF file attachment to both**

The Honorable Katherine Hansen, Grand Jury Supervising Judge
Katherine.Hansen@santacruzcourt.org and

The Santa Cruz County Grand Jury grandjury@scgrandjury.org.

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

Findings

F1. The California Department of Pesticide Regulation is developing a new system of notification for agricultural pesticide applications statewide and the proof of concept shows promise of being a good solution for notifying the public of pesticide application information in a timely manner.

- AGREE**
- PARTIALLY DISAGREE**
- DISAGREE**

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

F2. The Active and Passive modes of notification will allow access to members of the public in a manner of their choosing. Some people are comfortable signing up for notifications, others are not and would prefer to look up the information anonymously. This appears to provide most people the option to choose the method with which they are most comfortable.

AGREE

PARTIALLY DISAGREE

DISAGREE

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

F3. Because project delays have put off the release of the new system until the Spring of 2025, rather than 2024 as originally proposed, it is even more important that the public be made aware of what the new system will provide to them.

AGREE

PARTIALLY DISAGREE

DISAGREE

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

While it is agreed that it is important for the public to be made aware of DPR's pesticide notification system, it needs to be recognized that DPR has been raising awareness of the system since beginning development on it in 2021/22, through public hearings, public comment periods, press releases, updates via their website, etc., and continues to do so. The notification system has been reported on by the media repeatedly, including over the recent weeks and months, with coverage occurring in multiple statewide newspapers and on some televised broadcasts. The State Board of Food and Agriculture itself (chaired by Agriculture Secretary Karen Ross) has held two separate public meetings on the notification system (in January and again in July of this year.)

F4. As science progresses, less toxic pesticides are being developed and released regularly, and growers are finding acceptable alternatives to many pesticides. Less toxic pesticide use in Santa Cruz county is leading to lower risks to human and environmental health.

AGREE

PARTIALLY DISAGREE

DISAGREE

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

F5. Communication between the Agricultural Commissioner’s Office and other south county officials concerning pesticide management is not adequate, leading to a higher risk to human health.

- AGREE**
- PARTIALLY DISAGREE**
- DISAGREE**

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

The Board is in disagreement with this finding. The Agricultural Commissioner’s Office has a long and consistent history of communicating with south county officials regarding the work we are involved in and potential interests or impacts with respect to county residents. While the office is not involved in “pesticide management” (which is the work of growers, licensed applicators, UC Cooperative Extension Farm Advisors, and licensed California Pest Control Advisors), it is directly involved in the *regulatory aspects of pesticide use* – both agricultural and non-agricultural – through permitting, pesticide use report review, monitoring and active use surveillance, pesticide use inspections, safety and pesticide storage audits, and fieldworker pesticide safety inspections. This work is broadly defined (through our contracting state agency, the California Department of Pesticide Regulation, or DPR) as the Pesticide Use Enforcement (PUE) Program. Over the years, the Office has met and discussed matters of interest where our PUE Program is concerned with south county district supervisors, members of the Watsonville City Counsel, and State Assembly and Senate representatives. The facets of the PUE Program and the work involved are shared with county officials in the same manner as with county citizens and members of the community – the office responds to questions, concerns, or comments quickly and with all the relevant information that can be provided.

Another direct example of consistent communications with south county officials is regular messaging with the Pajaro Valley Unified School District, particularly with respect to proposed applications of pre-plant soil fumigants that may take place within 1/4 mile of a school campus. The Agricultural Commissioner’s Office have been notifying and communicating with PVUSD for approximately two decades on field fumigant applications, and discussions related to agricultural pesticide use have included the district safety officer and superintendent of schools.

Furthermore, there is regular communication with other agency officials serving the south county area, including but not limited to the Santa Cruz County Environmental Health Department, the Santa Cruz County Public Health Department, the Santa Cruz County Planning Department, and the Santa Cruz County Resource Conservation District.

F7. The joint effort between CAL Fire and OR3, as well as many other partners listed in the report, to improve preparedness for future wildfires is well-documented in the above-mentioned After-Action Report and Improvement Plan. Furthermore, the Grand Jury’s recommendation that this undertaking commence within 6 months of the Grand Jury report publication did take place in the allotted time period. However, the Grand Jury did not find the original report or any published updates to the initial report that included progress towards the report’s stated objectives. Such publications would reassure the public that wildfire preparedness is a priority and is being addressed.

- AGREE**
- PARTIALLY DISAGREE**
- DISAGREE**

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

OR3 is coordinating with ALL fire agencies, and local jurisdictional partners on all hazard readiness and making improvements. OR3 produced a DRAFT Operational Area Emergency Operations Plan (OA EOP) in November 2023 but was subject to state review. OR3 will be bringing the final EOP to the Board for approval in September 2024. OR3 is also working to improve our alert and warning communication capacity with CruzAware and other tools like the NOAA weather radios. OR3 is currently working on a transportation Emergency Support function document with an evacuation annex, scheduled to be completed at the end of 2024.

Recommendations

R1. The Grand Jury recommends that the Office of the Agricultural Commissioner makes known to City of Watsonville officials and various governmental agencies information about advances in agricultural pest control, including less toxic pesticides and alternative methods of pest eradication. This information should be shared by September 30, 2024. (F4, F5)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain the scope and timeframe (not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Required response explanation, summary, and timeframe:

Informing other agencies and/or the public about advances and scientific innovations in agricultural pest control is an area that generally falls within the scope of the University of California, UCANR (UC Agriculture and Natural Resources) and the vast network of UC Cooperative Extension Farm Advisors and researchers working in every county in the state of California. Farm Advisors and extension agents/researchers focus extensively on agricultural pest management advances, alternatives and innovations; speak and publish about their work and findings in these areas; and conduct research and fieldwork on integrated pest management and best practices in pest control for various cropping systems in California. Much of this work is published and/or summarized and widely available online – the UC Statewide Integrated Pest Management Program (<https://ipm.ucanr.edu/>), for example, is an expansive site covering multiple facets and options in pest management for nearly all commercially produced agricultural commodities in the state.

While CAC Offices are aware of advances and alternatives in agricultural pest management, and may correspond or meet with agencies or individuals regarding agricultural practices (see [CA Food & Ag Code §2285](#)), it is not in the Agricultural Commissioners Office’s purview to make recommendations, advocate for any specific pest control material, method or technology, or typically conduct outreach on information that *focuses specifically* on “advances in agricultural pest control, including less toxic pesticides and alternative methods of pest eradication.”

More information would be needed to effectively assess the Agricultural Commissioners Office’s potential role and available resources in “(making) known to City of Watsonville officials and various governmental agencies information about advances in agricultural pest control, including less toxic pesticides and alternative methods of pest eradication” before agreeing to any efforts at implementing such a recommendation. The office will gladly address questions or concerns from any public agency, non-profit, or community member(s) with respect to any program work, including our Pesticide Use Enforcement (PUE) Program activities.

R2. The Grand Jury recommends that the Office of the Agricultural Commissioner inform the public about advances in agricultural pest control, particularly to residents in areas commonly exposed to pesticide applications. This should be completed by October 15, 2024. (F4, F5)

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

Required response explanation, summary, and timeframe:

The response explanation provided above in R1 likewise applies to this recommendation to “inform the public about advances in agricultural pest control.”

Additionally, further information would be needed from the Civil Grand Jury to ascertain what is meant by “*residents in areas commonly exposed to pesticide applications*.” (I.e., How is an “area commonly exposed to pesticide applications” being defined, and based on what available information, data, or other metrics?) One of the central tasks of our office’s PUE Program is to promptly respond to and investigate incidents of pesticide exposure that we are in any manner made aware of. This is a job we take extremely seriously and is central to the Agricultural Commissioner Office’s role as a local agency enforcing state laws and regulations. Due to the robust regulatory framework in place in California governing the application of agricultural pesticides, and enforcement of those regulations on the local level by CAC offices statewide, agricultural pesticide exposure incidents involving residential bystanders are not commonplace occurrences. The protocols and practices for CAC Offices investigating pesticide exposure incidents can be found in the Pesticide Use Enforcement Standards Compendium, Volume #5 – Investigation Procedures (https://www.cdpr.ca.gov/docs/enforce/compend/vol_5/invstprc.htm).

R3. The Grand Jury recommends that the Office of the Agricultural Commissioner makes known to City of Watsonville officials and various governmental agencies, information about the “Spray Days Now” notification system being developed by the state DPR. Information should be shared by September 30, 2024. (F1, F2, F3, F5)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain the scope and timeframe (not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Required response explanation, summary, and timeframe:

The Santa Cruz CAC Office was one of only four others in the state that participated in the Statewide Pesticide Notification Pilot Project in 2022 and conducted significant outreach on DPR’s system in development during that time (to the public, in press releases, on the radio, our webpage, neighborhood meetings for the pilot area, etc.). The “Spray Days” notification system and website being created by DPR is a statewide system based on these initial pilot projects, and it is the state that is resourced to disseminate information regarding the system out to communities, the industry, and public agencies.

That said, the Agricultural Commissioner’s office already conducts significant outreach and discussion about this pending notification system and has done so for the past two and a half years. If any local public agencies (i.e., City of Watsonville, others) would like to hear more information directly about this state-implemented system, the Office could likely accommodate to the extent resources allow.

(DPR’s webpage on the notification system is detailed and specific, with up-to-date information added when available, FAQs, and a video walk-through of the system in its current form. All of this can be accessed at https://www.cdpr.ca.gov/docs/pesticide_notification_network/).

R4. The Grand Jury recommends that the Office of the Agricultural Commissioner communicate information to the public about the “Spray Days Now” notification system being developed by the state DPR, especially in areas impacted by pesticide use. This should be completed by October 15, 2024. (F1, F2, F3, F5)

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

Required response explanation, summary, and timeframe:

See response explanation for R3 (above).

The Agricultural Commissioner’s Office has posted prominently on our webpage the active link to DPR’s Statewide Pesticide Application Notification System (SprayDays California) information site.

R7. The Grand Jury requests an update as to the progress to date of the objectives outlined in the December 2021 After-Action Report in Appendix A: CORE CAPABILITIES / IMPROVEMENT PLAN and further requests that the OR3 publish this update on its website. (F7)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain the scope and timeframe (not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Required response explanation, summary, and timeframe:

OR3 will review and provide an update on accomplishments towards the After-Action Report by the end of 2024.



SANTA CRUZ
COUNTY
GRAND JURY

Grand Jury <grandjury@scgrandjury.org>

Civil Grand Jury Required Response: Honoring Commitments to the Public

Gina Liebig <gliebig@santacruzca.gov>

Wed, Oct 23, 2024 at 9:02 AM

To: Santa Cruz Grand Jury <grandjury@scgrandjury.org>, Matt Huffaker <mhuffaker@santacruzca.gov>

Good morning, Santa Cruz Grand Jury,

This message is bcc'd to the Mayor and City Council.

At the Santa Cruz City Council meeting on October 22, 2024, the attached response was approved by the Council: ***Honoring Commitments to the Public.***

Please reach out if you have any questions.

Thank you,



Gina Liebig

Principal Management Analyst

City of Santa Cruz | City Manager's Office

[809 Center Street, Santa Cruz, CA 95060](#)

Phone: 831-420-5044

Email: gliebig@santacruzca.gov

Web: www.cityofsantacruz.com



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197K



The 2023–2024 Santa Cruz County Civil Grand Jury
Requires the

Santa Cruz City Council

to Respond by September 16, 2024

to the Findings and Recommendations listed below
which were assigned to them in the report titled

Honoring Commitments to the Public

Review of 2020-21 Grand Jury Report Responses

Responses are **required** from elected officials, elected agency or department heads, and elected boards, councils, and committees which are investigated by the Grand Jury. The California Penal Code (PC) [§933\(c\)](#) requires you to respond as specified below and to keep your response on file.

Your response will be considered **compliant** under [PC §933.05](#) if it contains an appropriate comment on **all** findings and recommendations **which were assigned to you** in this report.

Please follow the instructions below when preparing your response.

Instructions for Respondents

Your assigned [Findings](#) and [Recommendations](#) are listed on the following pages with check boxes and an expandable space for summaries, timeframes, and explanations. Please follow these instructions, which paraphrase [PC §933.05](#):

1. **For the Findings, mark one of the following responses with an “X” and provide the required additional information:**
 - a. **AGREE with the Finding**, or
 - b. **PARTIALLY DISAGREE with the Finding** – specify the portion of the Finding that is disputed and include an explanation of the reasons why, or
 - c. **DISAGREE with the Finding** – provide an explanation of the reasons why.
2. **For the Recommendations, mark one of the following actions with an “X” and provide the required additional information:**
 - a. **HAS BEEN IMPLEMENTED** – provide a summary of the action taken, or
 - b. **HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE** – provide a timeframe or expected date for completion, or
 - c. **REQUIRES FURTHER ANALYSIS** – provide an explanation, scope, and parameters of an analysis to be completed within six months, or
 - d. **WILL NOT BE IMPLEMENTED** – provide an explanation of why it is not warranted or not reasonable.
3. **Please confirm the date on which you approved the assigned responses:**

We approved these responses in a regular public meeting as shown
in our minutes dated _____.

4. **When your responses are complete, please email your completed Response Request as a PDF file attachment to both**

The Honorable Katherine Hansen, Grand Jury Supervising Judge
Katherine.Hansen@santacruzcourt.org and

The Santa Cruz County Grand Jury grandjury@scgrandjury.org.

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

Findings

F6. With regard to the City Manager's response to Recommendation R8, the City's FY 2024 Annual Budget does not provide a detailed plan and accounting of how homeless funds have been used. The City's response only partially fulfilled its commitment to make related budget figures available.

AGREE

PARTIALLY DISAGREE

DISAGREE

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

The Annual Budget as presented by the City of Santa Cruz provides an overview of General Fund revenues and expenditures and Capital Investment Program for the City. The budget document provides information about total expenditures by department and is not intended to be a detailed expenditure plan for a specific program as recommended by the Grand Jury. An Annual Budget is a financial plan, policy document, operations guide and a communication device.

The specific request relates to funds received in December 2022 in the amount of \$14M from a grant from the State of California, and \$4.7M from the American Recovery Act. Both sources of funds were one-time in nature and utilized over two Fiscal Years, FY23 and FY24. A detailed accounting of those funds was presented to the City Council during the FY24 Budget Hearing's and was attached to the City Council Report which is publicly available on the City's website located here: [FY24 Budget Hearings Homelessness Response](#). The report details the FY23 expenditures and the planned expenditures for FY24 on page 17 of the power point presentation.

The recently adopted FY25 budget provides an overview of the expenditures for homelessness response programs that occurred in FY24 and the budget for FY25. These expenditures are contained in three City Departments: City Manager, Public Works and Police Department under the Activity Code 6105. While the expenditures are not broken out into expenses by detail, they are reported categorically as is consistent with all of the city program budgets and consistent with the Governmental Accounting Standards Board (GASB) accounting and financial reporting standards. The FY25 budget is publicly available on the City's web site.

Recommendations

R5. Within 90 days the City Manager should publish the figures that their initial response indicated were available for prior for years. (F6)

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

Required response explanation, summary, and timeframe:

On May 23, 2023, during the budget presentation for the FY24 budget, staff provided a power point presentation which includes detailed expenditures for the \$14M State of California Grant and the \$4.7M ARPA funds on page 17 of the presentation. The FY24 expenditures for the homelessness response program are presented in three departments: City Manager’s Office, Public Works and the Police Department. This document is available on-line on the city’s website located here: [FY24 Budget Hearings Homelessness Response](#).

The recently adopted Three Year Homelessness Response Strategic Plan (Plan) requires an annual update to the City Council on the progress made on the Plan. This update will be provided to the City Council in June of 2025. Included in this update will be a fiscal analysis of the past year’s activities.

R6. Within 90 days the City should publish the summary of expenditures as presented to the City Council in May 2023 that expand on the figures provided in the FY 2024 Annual Budget. (F6)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE** – summarize what will be done and the timeframe
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The recently adopted Three Year Homeless Response Strategic Plan (Plan) requires an annual update to the City Council on the progress made on the Plan. This update will be provided to the City Council in June of 2025. Included in this update will be a fiscal analysis of the past year’s activities.



SANTA CRUZ
COUNTY
GRAND JURY

Grand Jury <grandjury@scgrandjury.org>

City of Santa Cruz Response to Grand Jury

Lisa Murphy <LMurphy@santacruzca.gov>

Mon, Sep 16, 2024 at 4:50 PM

To: "katherine.Hansen@santacruzcourt.org" <katherine.Hansen@santacruzcourt.org>

Cc: Santa Cruz Grand Jury <grandjury@scgrandjury.org>, Gina Liebig <gliebig@santacruzca.gov>

Good Afternoon,

Please find attached is the City of Santa Cruz, City Manager response to "Honoring Commitments to the Public, Review of 2020-21 Grand Jury Report Responses".



Lisa Murphy

Deputy City Manager

City of Santa Cruz

809 Center St, Santa Cruz, CA 95060

Phone: 831-420-5365

Email: lmurphy@santacruzca.gov

Web: www.cityofsantacruz.com



2024-2dl_Continuity_SantaCruzCM Invited Response Request_City Manager.pdf

261K



**The 2023–2024 Santa Cruz County Civil Grand Jury
Invites the**

Santa Cruz City Manager

to Respond by September 16, 2024

**to the Findings and Recommendations listed below
which were assigned to them in the report titled**

Honoring Commitments to the Public

Review of 2020-21 Grand Jury Report Responses

Responses are **invited** from appointed agency and department heads, appointed committees, and non-profit agencies contracted to the county which are investigated by the Grand Jury. You are not required to respond by the California Penal Code [\(PC\) §933\(c\)](#).

If you choose to respond, please follow the instructions below when preparing your response.

Instructions for Respondents

Your assigned [Findings](#) and [Recommendations](#) are listed on the following pages with check boxes and an expandable space for summaries, timeframes, and explanations. Please follow these instructions, which paraphrase [PC §933.05](#):

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 - c. **DISAGREE with the Finding** – provide an explanation of the reasons why.

- 2. For the Recommendations, mark one of the following actions with an “X” and provide the required additional information:**
 - a. **HAS BEEN IMPLEMENTED** – provide a summary of the action taken, or
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Findings

F6. With regard to the City Manager’s response to Recommendation R8, the City’s FY 2024 Annual Budget does not provide a detailed plan and accounting of how homeless funds have been used. The City’s response only partially fulfilled its commitment to make related budget figures available.

AGREE

PARTIALLY DISAGREE

DISAGREE

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

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Recommendations

R5. Within 90 days the City Manager should publish the figures that their initial response indicated were available for prior for years. (F6)

- HAS BEEN IMPLEMENTED** – summarize what has been done
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