

**SOLANO COUNTY HALL OF JUSTICE
SOUTH WING FLOOD DAMAGE
2003 - 2004 Grand Jury Report**

I. Reason for Investigation

The Grand Jury elected to review the Solano County flood control procedures for the Hall of Justice South Wing, after being apprised of the flood damage that occurred in December 2002.

II. Procedures

The Grand Jury

Interviewed:

- Solano County General Service Department staff members
- City of Fairfield Public Works Department staff members

Reviewed:

- Solano County Grand Jury Final Report, 2002-2003
- Aerial photograph City of Fairfield, drainage canal systems on Clay Street
- City of Fairfield Public Works Department correspondence
- Clay Street Channel Desilting and Maintenance Project
- State of California, Department of Fish and Game and City of Fairfield Routine Maintenance Agreement
- City of Fairfield Public Works Department's maintenance records of storm drainage, crew, equipment and hours
- Solano County correspondence regarding Water Damage Claim against the City of Fairfield

Toured:

- Solano County Hall of Justice South Wing, interior/exterior

III. Background

1. The 2002-2003 Grand Jury found that flooding occurred in the Solano County Hall of Justice South Wing.

2. The 2003-2004 Grand Jury was apprised of the December 2002, flood damage and asked a General Services Department staff member what policy and procedures are in place to protect sensitive material and equipment. The staff member stated that sensitive material is filed above flood level to lessen the possibility of damage/loss.

3. During the discussions on the flooding issue, the staff members indicated that a written agreement between the County and the City of Fairfield on flood control responsibilities is needed. It was also mentioned that the County sent a letter to the City of Fairfield regarding this matter. The Grand Jury requested a copy of that letter. In actual fact, this letter was a flood damage claim which the County had sent to the City. The City of Fairfield rejected this claim.

4. The Grand Jury met with the City of Fairfield Public Works Department to address the December 2002 flooding issue. A Department staff member stated the City of Fairfield could not be responsible for damages since the creek banks adjacent to the Hall of Justice South Wing did not overflow. Since the County and City viewpoints differ on this issue and without visible evidence, definitive conclusions could not be reached. A Fairfield City staff member stated a written agreement between the City and the County is not necessary and would be redundant inasmuch as responsibilities are already clearly defined.

5. A City Fairfield Public Works Department staff member gave the Grand Jury a brief insight on the restrictions imposed on the Department in maintaining the drainage systems, creeks and channels.

- a. The Department of Fish and Game, U.S. Army Corps of Engineers and the Regional Water Quality Control Board policies and procedures in some ways hamper the efforts of the City's Public Works Department. However, they do not totally hamper the City's Department from meeting responsibilities and compliance with established Federal and State codes. However, the City of Fairfield feels that their three-person team adequately maintain the drainage system.
- b. To deal with the many complex aspects of maintaining the drainage systems, the City of Fairfield, on March 8, 2004, signed an agreement with LSA Associates, Inc., Pt. Richmond, CA to provide consulting services associated with the Clay Street Channel Desilting/Maintenance Project.

6. On February 26, 2004, the Grand Jury toured the Hall of Justice South Wing to see if the January 2004 heavy rains caused any flooding or damage. There was no flooding or damage. It was noted, however, semi-permanent barricades had replaced the makeshift ones that were previously installed at several entrances. These barricades greatly impede safe exit from the building, especially for the disabled. Also, safety exit instructions were not posted.

IV. Findings and Recommendations

Each finding is referenced to the background paragraph number

Finding #1 - Even though very significant improvements in flood control have been made, a combination of heavy rains, high tides and strong winds, plus other factors could overwhelm the present flood control system that protects the Hall of Justice. (1)(3)(4)

Recommendation #1 - The County and the City of Fairfield must be aware of the possibility that the drainage systems, upgraded pumps and backup systems may not be adequate to control flooding. To prepare for all possibilities, alternative methods to control flooding should continuously be explored and the systems upgraded accordingly.

Recommendation #1a - A written agreement between Solano County and the City of Fairfield outlining flood control guidelines must be established. These guidelines can only serve to enhance the system while reducing unforeseen problems.

Recommendation #1b - During periods of heavy rains it is recommended that the seated Grand Jury tour the Hall of Justice South Wing to ensure appropriate measures are taken to address any abnormal situations caused by flooding.

Finding #2 – The Hall of Justice structure, equipment and materials have been damaged by flooding. (2)

Recommendation #2 - Regardless of how infrequently flooding occurs, the County must draft policies and procedures to prevent damage to structures, material and equipment from potential water damage.

Finding #3 – Barricades were found that block entrances to the Hall of Justice which violate City, State and Federal safety codes. (6)

Recommendation #3 - The County should find and institute alternative methods to control flooding that do not violate established safety codes.

Recommendation #3a - Any method the County uses that entails blockage of exits must accommodate established safety procedures for the disabled.

V. Comments

None

VI. Affected Agencies

- Solano County General Services Department
- Solano County - County Counsel
- City of Fairfield Public Works Department
- City of Fairfield City Attorney
- City of Fairfield City Council
- Solano County Board of Supervisors

Courtesy Copies

- California Department of Fish and Game
- Regional Water Quality Control Board
- U.S. Army Corps of Engineers