

**FLOODING OF THE HALL OF JUSTICE,  
ADJACENT FACILITIES AND AREAS WITHIN THE CITY OF FAIRFIELD  
2008-2009 Grand Jury Report**

**REASON FOR INVESTIGATION**

The 2008-2009 Solano County Grand Jury elected to investigate repeated flooding in and around the Hall of Justice and adjacent County of Solano Sheriff's facilities.

**GRAND JURY ACTIONS**

- Toured Hall of Justice
- Toured Office of Emergency Services
- Toured Sheriff's Office
- Toured Union Creek (runoff channel)
- Toured Solano County Coroner's Office
- Interviewed Superior Court Executive Officer
- Interviewed Solano County Facilities Operations Manager
- Reviewed list of projects undertaken by Fairfield Public Works Department, March through December 2008
- Reviewed consultants Santina & Thompson Storm and Sewage Study of 1985
- Reviewed FEMA Flood Insurance Study of 1993
- Reviewed Fairfield Drainage Analytical Study by consultants Winzler & Kelly, March 2008
- Reviewed Joint Occupancy Agreement between Administrative Council of California, Administrative Office of the Courts and the County of Solano

**BACKGROUND/SUMMARY**

The Hall of Justice was built during the 1960s. This serves as the offices for the Solano County court system. The adjacent Sheriff's Offices at 500 Union Avenue and the Office of Emergency Services (OES) at 530 Clay Street were planned during the 1980s. A Storm and Sewage Study by consultants Santina & Thompson in 1985 recommended the buildings not be located adjacent to the existing Hall of Justice because of the high probability of future flooding. Construction of the Sheriff's Office and OES at that very site was completed in 1989.

Since 1998, the City of Fairfield has weathered two major storms resulting in flooding. The flood of December 31, 2005, had a major impact to several businesses and private homes in the downtown and surrounding area. The Grand Jury focused on the affected area surrounding the Hall of Justice at 600 Union Avenue. The Sheriff's Office and the OES also experienced flooding during the storm of December 2005.

The level of the first floor of the Hall of Justice is below the level of the Union Avenue storm drains. The Grand Jury inquired as to the reason for this design, but no one knew the answer. Two sump pumps used to drain sub-surface water up to the storm drain are located in an open area adjacent to the main entrance of the Hall of Justice.

During sustained or heavy rains, the storm drains on Union Avenue can quickly reach capacity and overflow. Under these conditions, the discharge from the Hall of Justice sump system into an overloaded storm drain only adds to the surface water already entering the buildings entrances.

There are numerous background issues relating to responsibility for maintenance of the Hall of Justice due to the number of stakeholders involved. The County of Solano owns the Hall of Justice building at 600 Union Avenue; however, the State maintains court-exclusive space and the State leases some-County exclusive space in the building for court operations. The County retains responsibility for the common areas.

Beginning in 2002, the State of California started to realign its court system in an effort to streamline the judicial process. At that time, courts previously overseen by individual counties became directly responsible to the State. According to the Court Executive Officer, as part of the realignment process, facilities were transferred to the State and the State currently maintains all court-exclusive space in the courthouses. This space is governed by a Joint Occupancy Agreement. The current Joint Occupancy Agreement, signed June 2007, outlines the procedures for sharing and maintaining the building space with the County, the Sheriff/Coroner's Office and the Courts.

A portion of the city of Fairfield sits in a flood plain. Decades of added infrastructure, including roads, buildings and farming, has greatly impacted the area's ability to drain runoff in a heavy or sustained rainstorm. When the tide is rising through the Suisun Slough, this greatly increases the threat of flooding for the surrounding areas.

The drainage channel that discharges water from the storm drains is located East of the Hall of Justice and adjacent to the Sheriff's Office. The discharge flows into the Suisun Slough via Union Avenue Creek. This channel exceeded capacity during the last flood. At the time of the inspection by the Grand Jury, the Union Avenue Creek was observed to be about a quarter full of water during dry weather conditions and covered by vegetation on both sides. Assorted floating debris and discarded tires downstream obstructed the flow of water next to the newly replaced railroad crossing over Union Avenue Creek (see photo below).

The last flood, on December 31, 2005, which lasted through January 1, 2006, caused \$1,500,000 in damages. In addition, it prevented normal operations for several days in the Hall of Justice. The Sheriff's Office and the OES suffered major damage from the flood, resulting in temporarily relocating critical services. Among the major items that needed to be replaced were the flooring and the lower portion of the walls, due to extensive water damage and mildew.

Slotted drain covers run along one side of the OES building. They proved inadequate to handle heavy surface runoff in the last flood, especially when water is flowing out of the Union Avenue Creek through the parking lot toward the building. The Court's Executive Officer informed the Grand Jury that the emergency plan of action for the Court offices in the Hall of Justice would be to relocate equipment, computers, furniture, and files onto the desks. The Sheriff's Office provided inmate labor to surround the buildings with sand bags in lieu of a permanent barrier, but only after the water had already entered the buildings and damage had occurred.

In March 2008, the City of Fairfield and Solano County received an analytical study of drainage of the area in and around downtown Fairfield from the firm of Winzler & Kelly. The cost of this report to the City and County was \$190,501. In the study, they recommended improvements to the channels, drains, ponds and pumps in the area to reduce or eliminate future flooding. The

Grand Jury inquired as to whether the City and County were following the recommendations made in the report. Responses from the Director of Public Works for the City of Fairfield and the Solano County Facilities Operations Manager indicate that the City and County have not completed, initiated nor planned any of the recommended improvements at this time.

## **FINDINGS AND RECOMMENDATIONS**

**Finding 1** – As the Hall of Justice ground floor is several feet below ground level in a flood plain area, sustained winter rains, inadequate drainage system and the proximity to the Suisun Slough, result in flooding of the building. Until this situation is resolved, flooding of the area will continue to be a drain on taxpayer resources.

**Recommendation 1** - The County should aggressively lobby the State to secure funding for replacement or renovations and upgrades to the Hall of Justice.

**Finding 2** - Currently, no adequate external barriers exist to impede or hold back runoff from entering the buildings, especially those entrances below street level. Until this situation is resolved, flooding of these buildings will continue to be a drain on taxpayer resources.

**Recommendation 2** – The County should consider constructing a retaining wall around the Hall of Justice, Sheriff’s Office, and Office of Emergency Services. Pedestrian ramps for access would have to be included. This will help to add sufficient protection to the buildings from surface runoff.

**Finding 3** – The City of Fairfield and Solano County have not implemented any of the recommendations within the several studies to alleviate the threat of surface flooding within the City. Without a comprehensive solution that addresses all related issues, flooding of County buildings may continue to be an annual event.

**Recommendation 3** – The County of Solano and the City of Fairfield should review the four alternatives stated in the March 2008 study and implement the most effective recommendations: New Detention Ponds, New Pumps (Washington Street Station), Upgrades to Storm Drain Boxes and County Pump Station.

## **COMMENTS**

Various agencies have control and responsibility for the area in and around the Hall of Justice. Each agency has pointed to other agencies as the source of problems and inactivity. There is no joint committee that currently represents all interests. A joint committee could interact on matters regarding the Hall of Justice. An area-wide coalition (City, County and impacted third parties) could help to resolve differences and share the costs required to implement improvements to the channels, drains, ponds and pumps.

Under the current circumstances, flooding of County buildings is inevitable. Unfortunately, the same cannot be said of positive bureaucratic response to the problem. This should be considered a priority matter for the County.

Solano County and the City of Fairfield need to work together to investigate all potential sources of financial assistance to alleviate the threat of future flooding.

**RESPONDING AND AFFECTED AGENCIES**

Solano County Facilities Operations Administrator  
Solano County Board of Supervisors  
Fairfield City Council  
Fairfield City Manager  
Fairfield Director of Public Works  
Superior Court Executive Officer

**COURTESY COPIES**

Solano County Sheriff/Coroner's Office  
Solano County Office of Emergency Services  
Solano County Department of Resource Management  
Solano County Water Agency  
State Court Administrator, State of California  
California Environmental Protection Agency  
Federal Emergency Management Agency  
United States Army Corps of Engineers  
United States Environmental Protection Agency



A view of Union Avenue Creek facing northeast, downstream from Hall of Justice; the railroad crossing is to the right