

This document is an extract of a larger publication.

civilgrandjury.org is a project of UnGovr.org, a US-based 501(c)(3) nonprofit dedicated to government transparency and public accountability.



## **GLOSSARY**

ADP: Average Daily Population

BOS: Napa County Board of Supervisors

BSCC: State of California Board of State and Community Corrections

CONSOLIDATED ANNUAL PLAN: Juvenile Justice Crime Prevention & Youthful Offender Block Grant Report

CSA: California Corrections Standards Authority (Predecessor to BSCC)

CCSAS: California State Association of Counties

HHSA: Health and Human Services Agency

JHC: Juvenile Hall Counselor

JJCPA-YOBSG: Juvenile Justice Crime Prevention Act & Youthful Offender Block Grant

MHC: Mental Health Counselor

NCJH: Napa County Juvenile Hall

NCPD: Napa County Probation Department

NVUSD: Napa Valley Unified School District

RATED CAPACITY: The number of beds approved by BSCC that can be used by a Juvenile Facility based on the design requirements of Title 24, Part 1, Article 2, Section 13-201(c)6, of the California Code of Regulations

TITLE 15: BSCC California Minimum Standard for Local Detention Facilities, Crime Prevention and Corrections Division 1, Chapter 1, Subchapter 5

## **BACKGROUND**

California Penal Code Sec. 919(b) requires the Napa County Grand Jury to make inquiry into the condition and management of all public prisons within the County, including the Napa County Juvenile Hall. Pursuant to that mandate, the 2019–2020 Napa County Grand Jury made an initial visit to NCJH on September 9, 2019, where it toured all areas of the facility accompanied by the Superintendent and the Assistant Superintendent. During the tour the Jury was able to observe the various steps in the process whereby a juvenile is initially placed into NCJH, integrated into the population, and how his/her progress is monitored during the time a juvenile is incarcerated. The Jury discussed with the staff the various programs offered to the detainees. The Jury visited the kitchen and spoke with staff who provided information regarding the overall approach to assuring that the dietary needs of the juvenile detainees are met. Finally, time was spent in the recreational areas, both indoor and outdoor, observing the two pods containing the individual living and sleeping areas for the juvenile detainees, and visiting the academic classroom.

## **METHODOLOGY**

During its inquiry the Jury

1. Conducted a tour of the Napa County Juvenile Hall facility
2. Conducted ten interviews, most of which were at NCJH, with the following:
  - Two members of the NCPD
  - Three members of the NCJH Administration
  - One member of HHSA

- One member of the BOS
  - One NCJH on-site Counselor
  - One member of the Napa County Risk and Emergency Administration
  - Informal interviews with juvenile detainees at NCJH
3. Reviewed the following documents:
- Title 15 Minimum Standards for Juvenile Facilities
  - Minor’s Grievance Reports for NCJH for 2005–2019
  - Past Grand Jury Reports on NCJH, 2005–2019
  - NCJH Procedural Manual
  - NCJH Line Item Budgets, FYs 2005-2006, 2010-2011, 2017-2018, 2018-2019, and 2019-2020
  - Board of State and Community Corrections Inspection, November 28, 2017
  - Review of Non-Regulations Requirements, December 4-5, 2017
  - BSCC #7357 Biennial Inspection Pursuant to Welfare & Institutions Code 209 and 885, February 14, 2018
  - Probation Department Budget NCJH General Fund 1000, Div.14210
  - NCJH Staff List and Staffing Schedule for October 2019
  - NCJH Organizational Chart
  - Updated NCJH Policy and Procedure Manual, including current Title 15 revisions
  - BSCC Juvenile Justice Crime Prevention Act and Youthful Offender Block Grant, March 2019
  - NCJH Budget 2020
  - BSCC Juvenile Justice Crime Prevention Act: 2015 and 2016, Progress Report for Functional Family Therapy
  - BSCC Juvenile Justice Offender Block Grant 2019 Expenditure and Data Report due date October 1, 2019
  - BSCC Youthful Offender Block Grant Funding Application Juvenile Justice Development Plan for Fiscal Years 2014-2015, 2015-2016, and 2016-2017
  - Additional Budget breakdown provided by NCJH Administrative staff
  - California State Association of Counties, *Juvenile Justice Facilities in California Report and Tool Kit*

## **DISCUSSION**

### **Introduction**

The management of NCJH is one of the responsibilities of the Napa County Probation Department’s Chief Probation Officer. The Chief is responsible for all Juvenile Probation Services as well as the Adult Division of the Probation Department. The former Chief Probation Officer, who served for 17 years, retired as of February 7, 2020. The position has been filled by the prior Deputy Probation Officer who has been with the Probation Department since 1994. The day-to-day management of NCJH is vested in the Juvenile Hall Superintendent and his Assistant.

NCJH was built in 2004 and is a two-story facility consisting of 43,000 sq. feet with two podular design detention units (pods) with a Rated Capacity of 60 juvenile detainees. Podular design is a concept for detention facilities in which housing cells, dormitories, or sleeping rooms

are positioned around the perimeter of a common dayroom forming a housing/living unit. Rated Capacity is the number of beds approved by State of California Board of State and Community Corrections (BSCC) that can be used by a juvenile facility based on the design requirements of the California Code of Regulations.<sup>1</sup> In addition to the number of beds capacity limitations imposed by Title 24, BSCC requires that the facility have a minimum staffing level which meets the requirements of Section 1321, Title 15, Minimum Standards for Juvenile Facilities. This Section specifies that the following minimum standards must be met:

- A. During the hours that youth are awake, one wide-awake youth supervision staff member for each 10 youth in detention
- B. During the hours that youth are confined to their room for the purpose of sleeping, one wide-awake youth supervision staff member for each 30 youth in detention
- C. At least two wide-awake youth supervision staff members on duty at all times regardless of the number of detainees
- D. At least one youth supervision staff member on duty who is the same gender as youth housed in the facility
- E. Personnel with primary responsibility for other duties such as administration, supervision of personnel, academic or trade instruction, clerical, kitchen, or maintenance shall not be classified as youth supervision staff positions

The Jury does not consider itself qualified to determine the specific number of staff required by Title 15 for 16 detainees. If 36.75 full time staff, excluding management, is sufficient for 50 detainees, some number less than that would be sufficient for 16 detainees. Regardless of the population in Napa County Juvenile Hall, the Napa County Probation department has continued to seek funding to staff at an assumed level of 50 detainees.

### **Average Daily Population**

At the time the NCJH was opened in 2005 its Average Daily Population was 44 with a staff of 37. This was deemed to be sufficient to meet the Title 15 staffing requirements for a maximum detained population of 50 juveniles. During the years between 2005 to 2010, the facility exceeded the 50-detainee capacity approved by BSCC, requiring the NCPD to go to the Napa County Board of Supervisors for funding for additional staff. Since at least 2014, when the ADP was 24, the population has never exceeded 20 and has dropped as low as 11 on some days.

As shown in the graph below, for the last 10 years NCJH's daily population has been below the 50-detainee capacity for which it is presently staffed.<sup>2</sup> At present the average stay for a detainee is less than 30 days. There is no indication that this trend will reverse itself given California's emphasis on rehabilitation over incarceration.

---

<sup>1</sup> Board of State and Community Corrections, "Minimum Standards for Local Detention Facilities", 2013, <http://www.bscc.ca.gov/wp-content/uploads/Adult-Title-24-Min-Standards-for-Local-Detention-Facilities-2013.pdf>

<sup>2</sup> Napa County, California Adopted Budget, FY 2019-2020, <https://www.countyofnapa.org/ArchiveCenter/ViewFile/Item/559>

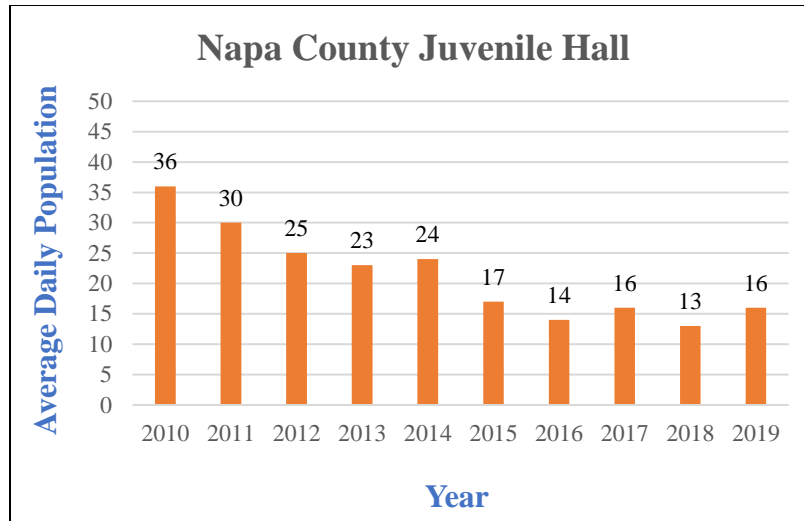


Fig. 1: Figure created by 2019-2020 NCGJ with information sourced from Napa County Juvenile Hall

This drop in the NCJH population is not unique to Napa County; it is true statewide and has resulted in several counties closing their juvenile hall facilities and/or combining the services with other counties to provide for the detention of juvenile offenders. A particularly comprehensive article entitled “*Empty Cells, Rising Costs*” published on March 25, 2019, in the San Francisco Chronicle,<sup>3</sup> detailed the present landscape of the problem and the responses in California. The San Francisco Board of Supervisors has voted to close its Juvenile Hall within two years.

The 2017-2018 Napa County Grand Jury in its Final Report<sup>4</sup> entitled, “Empty Beds: Juvenile Hall Review,” recognized this continuing under-use of NCJH facilities, but did not address the staffing concern. The Jury adopted a Finding, consistent with the position of the Probation Department, that a consolidation of its juvenile detention facilities was not optimal for serving Napa County youth. The 2017-2018 Jury recommended that the BOS respond to the following:

determine whether excess Juvenile Hall physical capacity and staffing above near-term projected needs can be put to an alternative use. The results of the study should be published.

The BOS rejected this recommendation as “not warranted” based upon the representation by the Chief Probation Officer that she continues to review the best usage of the facility and staffing. Thus, the BOS said no further study was necessary.

<sup>3</sup> San Francisco Chronicle, Joaquin Palomino and Jill Tucker, “Empty Cells, Rising Costs”, 3/25/19, <http://digital.olivesoftware.com/Olive/ODN/SanFranciscoChronicle/shared/ShowArticle.aspx?doc=HSFC%2F2019%2F03%2F25&entity=Ar00101&sk=C88D2038&mode=text>

<sup>4</sup> The Superior Court of California, County of Napa, “Grand Jury Reports and Responses”, 2017-2018, <http://www.napa.courts.ca.gov/grand-jury/reports-response%202017-2018>

## FY 2019-2020 Staffing

The present staffing level for FY 2019-2020 for NCJH is 36.75 made up of the following permanent positions, the same as it was in FY 2005-2006 and FY 2018-2019:

• Assistant Juv. Hall Superintendent	1
• Cook 1	1.5
• Food Service Coordinator	1
• Juvenile Hall Counselor II	1
• Juvenile Hall Counselor II (Flex)	20.25
• Juvenile Hall Superintendent	1
• Legal Clerk II (Flex)	1
• Senior Juvenile Hall Counselor	6
• Supervising Juvenile Hall Counselor	4
<b>TOTAL</b>	<b>36.75</b>

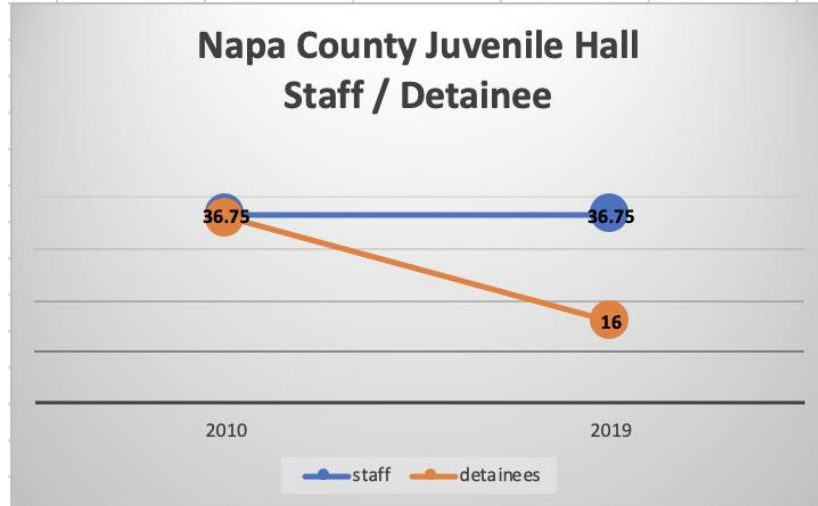


Fig. 2: Figure created by 2019-2020 NCGJ with information sourced from Napa County Juvenile Hall

NCJH management provided no explanation as to why budgeted staffing levels for a facility housing 16 detainees have continued to remain the same as for a facility housing 50 detainees other than they understood Title 15 required it based on the existence of two pods. The organizational chart of NCJH reflects a staffing for one of the detention pods with 2 Juvenile Hall Supervisors and 16 Juvenile Counselors. The staffing in the other detention pod is shown as 2 Juvenile Hall Supervisors and 14 Juvenile Hall Counselors, with two positions presently vacant. The Jury was unable to find any support that Title 15 mandated the present staffing for 16 detainees, particularly when one pod has one juvenile detainee.

## Budget

Despite the significant reduction in the juvenile population being served by NCJH noted above, a review of the Annual Budgets for NCJH from FY 2010-2011 through FY 2019-2020 does not reflect a similar decline in expenditures.

FY	Total Budget	Salaries & Benefits	ADP
2005-2006	\$3,243,208.38	\$2,819,502.04	44-50
2010-2011	\$4,804,745.00	\$4,114,614.00	36
2014-2015	\$5,323,077.00	\$4,377,947.00	30
2019-2020	\$6,825,755.00	\$5,019,179.00	16

*Table 3: Table created by 2019-2020 NCGJ with information sourced from Napa County Adopted Annual Budgets and Napa County Juvenile Hall*

These figures do not include the additional resources provided to NCPD to serve juveniles whether in custody or on probation:

- Teachers from Napa Valley Unified School District
- Mental health counselors from Napa County Health and Human Services Agency
- State and federal grants for specific programs
- Outside non-profit organizations which provide programs

As presently staffed, the cost to operate NCJH for fiscal year 2019-2020 is approximately \$1,160 per day per detainee. These budget numbers are driven by the Probation Department’s request to staff the facility with an assumed capacity of 50 juvenile detainees. The Jury recommends that the Probation Department and the Board of Supervisors reduce the staff to a level more consistent with the actual number of detainees.

**Potential New Usages**

In 2019 NCPD instituted a program called New Horizons. This Program is intended to take youth who would be ordered by the Juvenile Court to a long-term residential care facility of which there are none in Napa County. The idea is to house them in one of the juvenile detention pods at NCJH to reduce to the hardship of travel on families. NCPD can recommend to the Napa County Juvenile Court that a juvenile detainee be removed from the home and placed in treatment at NCJH. Once approved by the Court, the juvenile detainee would be housed in this pod separate and apart from other juvenile detainees who are awaiting a hearing or are in short-term detention. Under the terms of the New Horizons program:

- the juvenile will be under the supervision of a juvenile hall counselor
- housed in a separate detention unit

Juveniles in the New Horizon Program will:

- attend an outside NVUSD school on a full-time basis
- may have an outside job
- may have home passes
- will be offered programs including those for drug or substance abuse and mental health programs not available in NCJH

Initially, there were three juvenile detainees in the New Horizons Program. At the time of this writing there is one juvenile detainee in the Program. The Probation Department advised the Jury that it did not contemplate that the population in the New Horizons Program will ever

exceed 10. As noted above, this pod reflects a staffing level of 16, including two Supervisors for a detention unit contemplated to at most house 10 detainees.

In January 2019, the California State Association of Counties, chaired by Napa County Supervisor Alfredo Pedroza, created a Juvenile Hall Utilization Workgroup. The workgroup issued its Report and Tool Kit in November 2019,<sup>5</sup> outlining possible options for how counties could move forward in solving this under-use problem. The Tool Kit is designed to provide a framework for an analysis by the decision-makers in each county to analyze the best use of a juvenile hall facility and meet the needs of the Juvenile Justice System. The Jury believes this Tool Kit would be an appropriate tool for Napa County to review for possible implementation.

## **FINDINGS**

The Napa County Grand Jury finds as follows:

- F1. The physical facilities at Napa County Juvenile Hall provide a safe, clean, and secure environment for the detained juveniles in compliance with Title 15.
- F2. The management and staff appear to be well-trained and fully committed to working with the juvenile detainees to become productive citizens.
- F3. The facility is over-staffed for the actual number of juvenile detainees.
- F4. Title 15 does not require Napa County Juvenile Hall to be staffed for 50 juvenile detainees. There is no legal impediment to reducing staffing to a level more consistent with the actual number of juvenile detainees.
- F5. There is a need to find additional uses for the Napa County Juvenile Hall facility.
- F6. The California State Association of Counties' Report and Tool Kit would be helpful to Napa County in determining other uses for the Juvenile Hall facility.

## **THE JURY RECOMMENDS**

- R1. The Probation Department is to reduce its staffing level for Napa County Juvenile Hall to a level consistent with the historical trends of the past ten years and consistent with the requirements of Title 15. This reduction in staffing is to be accomplished no later than June 30, 2021 and reflected in the Napa County's Adopted Budget for Napa County Juvenile Hall for FY 2021-2022.
- R2. The Board of Supervisors consider using The Tool Kit created from the Juvenile Hall Utilization Workgroup. The Board of Supervisors and the Probation Department are to convene a task force consisting of relevant governmental agencies to study and suggest alternative uses for the under-used Napa County Juvenile Hall facility. This task force is

---

<sup>5</sup> California State Association of Counties, "Juvenile Justice Facilities in California: Report and Tool Kit", November, 2019, [https://www.counties.org/sites/main/files/file-attachments/juvenile\\_hall\\_report\\_and\\_toolkit\\_2019.pdf?1576174740](https://www.counties.org/sites/main/files/file-attachments/juvenile_hall_report_and_toolkit_2019.pdf?1576174740)

to convene no later than December 31, 2020, with directions to issue a public report with its recommendations no later than June 30, 2021.

## REQUIRED RESPONSES

Pursuant to Penal Code sections 933 and 933.05, the 2019-2020 Napa County Grand Jury requests responses within 90 days as follows:

From the following Government Officials:

- Napa County Board of Supervisors (F1-F6 and R1-2)
- Chief Probation Officer, Napa County Probation Department (F1-4 and R1-2)

## BIBLIOGRAPHY

San Francisco Chronicle March 25, 2019, *Empty Cells, Rising Costs* - <https://projects.sfchronicle.com/2019/vanishing-violence/part-2/>

Witness LA, June 4, 2019, *in a Historic Move, SF Supes Vote to Get Rid of Juvenile Hall* - <https://witnessla.com/in-a-historic-move-sf-supes-vote-to-get-rid-of-juvenile-hall/>

San Francisco Chronicle, October 3, 2019: *Youth Crime Continues Historic Drop Across US* - <https://www.sfchronicle.com/crime/article/Vanishing-Violence-Youth-crime-continues-14487543.php>

2017-2018 Marin County Civil Grand Jury: *The Future of Juvenile Detention in Marin, A Follow-Up Report* – <https://www.marincounty.org/-/media/files/departments/gj/grandjury2018-ijsupplement.pdf?la=en>

San Francisco Chronicle, November 20, 2019, *State would expand juvenile courts, halls to 18 and 19-year-olds under proposal* - <https://www.sfchronicle.com/crime/article/State-would-expand-juvenile-courts-halls-to-18-14847691.php>

San Mateo County Civil Grand Jury Report 2015-2016. Juvenile Services Division Youth Detention Facilities: Underutilized and Overpriced? - [https://www.sanmateocourt.org/documents/grand\\_jury/2015/youth\\_detention\\_facilities.pdf](https://www.sanmateocourt.org/documents/grand_jury/2015/youth_detention_facilities.pdf)

Marin County Civil Grand Jury Report 2018 - *The Future of Juvenile Detention in Marin, A Follow-up Report* - <https://www.marincounty.org/depts/gj/reports-and-responses/reports-responses/2017-18/the-future-of-juvenile-detention-in-marin>

San Francisco Chronicle, Sunday, November 21, 2019, *Minor Crimes, Major Time* - <https://projects.sfchronicle.com/2019/vanishing-violence-major-time>

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 9229 requires that reports of the Grand Jury not contain the name of any person or fact leading to the identity of any person who provides information to the Grand Jury.



**NAPA COUNTY GRAND JURY  
2019-2020**

**FINAL REPORT  
August 1, 2020**

**NAPA COUNTY PROBATION DEPARTMENT  
AND DEPARTMENT OF CORRECTIONS  
CONTRACT ADMINISTRATION  
Who is Minding the Store?**

**NAPA COUNTY PROBATION DEPARTMENT AND DEPARTMENT OF  
CORRECTIONS CONTRACT ADMINISTRATION  
Who is Minding the Store?**

August 1, 2020

**SUMMARY**

The Napa County Department of Corrections (NCDC) and Napa County Probation Department (NCPD) are responsible for ensuring the health services mandated by Title 15, Minimum Standards for Local Detention Facilities and Title 15, Minimum Standards for Juvenile Facilities (Title 15).<sup>1</sup> To satisfy that mandate, the Napa County Board of Supervisors (BOS) entered into Professional Services Agreement Number 1902018 (Wellpath Agreement) with the California Forensic Medical Group (CFMG). Exhibits “A” and “B” to the Wellpath Agreement call for the preparation and retention of numerous written records relating to the health services provided at Napa County Jail (NCJ) and Napa County Juvenile Hall (NCJH).

The 2019-2020 Napa County Grand Jury (Jury) requested an opportunity to examine the Wellpath administrative documents related to healthcare. The Jury found that most of the documents required by the Wellpath Agreement were not initially in the possession of either the NCDC or the NCPD and appear to have never been requested from Wellpath. The absence of this documentation led the Jury to wonder how these two departments could determine if Wellpath was performing the services for which it was being paid. Further investigation disclosed payment procedures identified in the Wellpath Agreement and the Napa County Auditor-Controller’s Office accounts payable procedure were not being followed and apparently were not fully understood by individuals responsible for carrying out these procedures. The failure of the NCDC and NCPD to have the Wellpath documentation in their possession and the questionable handling of Wellpath invoices raises serious concerns as to the administration of the Wellpath Agreement.

This report does not address the medical care provided to detainees in Juvenile Hall or those incarcerated in the County Jail.

**DISCUSSION**

The County of Napa entered into a Professional Services Agreement with CFMG (Wellpath) effective January 1, 2019, “in order to provide health care services to inmates in custody of the Napa County Department of Corrections and wards housed in the Juvenile Justice Facility.” The Scope of Work required of Wellpath is detailed in Exhibits A and B of the Wellpath Agreement.

Exhibit A of the Wellpath Agreement contains 27 sections defining the services to be provided by Wellpath. The Jury lacked the time and resources to investigate all 27 sections and elected to concentrate on the below listed four sections which did not involve any patient specific

---

<sup>1</sup> <http://www.bscc.ca.gov/wp-content/uploads/Adult and Juvenile, Titles-15-Effect-4-1-17.pdf>

medical information. The remaining 23 sections of the Scope of Work were not investigated by the Jury.

- Procedures Manual
- Quality Management Program
- Health Care Staff Procedures (Adult and Juvenile Facilities)
- Basic Training for Corrections Personnel (Adult & Juvenile Facilities)

Beginning with verbal requests for documentation from County employees appearing as witnesses before the Jury during the fall of 2019, virtually none of the items requested were provided. In February of 2020 the Jury requested in writing general documentation relating to the four areas identified above,<sup>2</sup> and in March of 2020 the following specific documents were requested:<sup>3</sup>

- Policy and Procedures Manual with requisite declaration page indicating review/approval.
- Annual record of review and approval of all policies and procedures.
- Quarterly Medical Administrative Committee meeting minutes (4).
- Monthly health care staff meeting minutes (12).
- Records of quality improvement emergency drills
- Monthly statistical reports of health care services (12).
- Continuous Quality Improvement (CQI) Program details.
- CQI quarterly meeting minutes/summaries (4).
- Process and/or Outcome Quality Improvement Studies (minimum of one per year).
- Outcome Quality Improvement studies.
- Annual Calendar of Quality Improvement studies.
- Minimum thresholds for site-specific issues or problems to be studied
- Random sampling procedures for audits
- Annual review of effectiveness of the CQI program.
- Contractor and Corrections Department personnel training records.

The Jury experienced a significant delay in obtaining any of these documents, most of which were not obtained until May of 2020. The Jury acknowledges that NCDC was dealing with the Covid-19 pandemic when the written request was received.

It became apparent to the Jury that neither the NCDC nor NCPD held copies of the administrative documents which Wellpath was required to prepare under the terms of the Wellpath Agreement except for outdated Policy and Procedure Manuals. Because of the Jury's requests to the County, on April 29, 2020, Wellpath provided the County a few of the documents (see Enclosure (1)). There is no indication that either NCDC or NCPD adequately monitored Wellpath's performance in the preparation of required administrative documents. Since the Contractor's documents were not obtained by NCDC or NCPD for examination until April of 2020, the Jury questioned how these agencies could have confirmed that the goods or services had

---

<sup>2</sup> Grand Jury letter Ser: 1920-064 dated February 24, 2020

<sup>3</sup> Grand Jury letter Ser: 1920-066 dated March 12, 2020

been received prior to that date as required by the Napa County Auditor-Controller's Office as a prerequisite for payment of invoices.

The following paragraphs detail some of the deficiencies identified by the Jury in course of its investigation. Please note that the Jury limited its documentation request to calendar year 2019.

Procedures Manual, Wellpath Agreement Exhibit "A" Items 1:

Section 1.1.a of Appendix "A" requires the development and maintenance of Procedures Manuals for both Adult and Juvenile facilities and invokes the requirements of BSCC Title 15. Section 1.1.c. of Exhibit "A" specifies:

Contractor shall review each policy, procedure, and program at least yearly with input from County staff and revise as necessary. The review process and any revisions should be presented at the first quarterly Quality Management Committee Meeting.

It was not until July of 2020 that NCDC and NCPD were able to produce documentation that the procedures had been reviewed and approved on June 3, 2019. The annual review for 2020 is overdue.

Quality Management Program/Health Service Audits (Adult and Juvenile Facilities), Wellpath Agreement Exhibit "A" item 3:

Section 3.a. of Appendix "A" requires the implementation of a comprehensive Quality Management Plan. Section 3.b. states the "Contractor shall assess the quality and adequacy of health and pharmaceutical services annually and provide an annual written report to the County. Section 3.c. requires a monthly statistical report on monthly activities. Section 4.d. specifies that the "Contractor shall hold quarterly Quality Management Committee Meetings consisting of Contractor and County staff..." Wellpath procedures require that meeting minutes be documented and disseminated to attendees.

The Jury anticipated that NCDC and NCPD would be able to provide 24 monthly statistical reports for calendar year 2019 (12 each from NCDC and NCPD). The required data is specified in Wellpath Procedure A04. Instead, the Jury received a single NCDC summary report for 2019.

Meeting minutes are documented, and attendees are permitted to see, but not retain, copies of the minutes. This policy is defended based on an undefined legal confidentiality. Witnesses confirmed that these minutes do not contain any patient specific personal or medical information. The Jury has not been provided with a definition of the "legal confidentiality" concerns.

Some additional Quality Management documentation requested by the Jury was defined by Wellpath as part of its Continuous Quality Control (CQI) program. Wellpath objected to providing documentation related to the CQI Program.

Documentation Withheld by Wellpath:

Term 21 of the Wellpath Agreement reads as follows:

COUNTY, any federal or state grantor agency funding all or part of the compensation payable hereunder, the State Controller, the Comptroller General of the United States, or duly authorized representatives of any of the above, shall have access to any books, documents, papers and records of Contractor which are directly pertinent to the subject matter of this Agreement for the purposes of making audit, examination, excerpts and transcriptions. Except where longer retention is required by any federal or state law, CONTRACTOR shall maintain all required records for at least seven (7) years after COUNTY makes final payment for any of the work authorized hereunder and all pending matters are closed, whichever is later.

Despite signing the Wellpath Agreement containing Term 21 above, in a letter to the Jury,<sup>4</sup> Wellpath asserts:

“Since even employees of Napa County do not qualify as workforce members under the Patient Safety Act in certain instances, and the requested documentation is not shared with anyone outside of the Workforce, it would breach confidentiality of the Patient Safety Work Product to allow anyone other than Wellpath to receive or maintain copies of Work Product.”

If NCDC and NCPD knew that there was documentation which they would not be permitted to see, at the very least they should have required that Wellpath provide written certification that the documentation has been prepared. Unfortunately, having apparently never requested to see this contractually required data, neither NCDC nor NCPD were aware of its existence. Neither NCDC or NCPD are able to provide verifiable evidence that Wellpath has prepared and maintained documents required by Exhibit “A” Item 3.a. for those items which Wellpath has chosen to define as “Patient Safety activity work products” under the provisions of 42 U.S.C.A. 299b

Health Care Staff Procedures (Adult and Juvenile Facilities), Wellpath Agreement Exhibit “A” item 4:

Section 1.4.c. of Appendix “A” requires the following:

Procedures shall be in writing, and reviewed and updated at least annually. Each document will bear the date of the most recent review or revision and signatures of the reviewers. A declaration paragraph at the beginning of the manual will outline the fact that the entire manual has been reviewed and approved and followed by the proper signatures.

In July 2020 it was determined by the County that the Health Care Staff Procedures Manual described did not exist as a separate entity but had been combined with the Policy and Procedure Manual, as described above, by Wellpath. The Jury does not take exception to the fact that the two sets of procedures were combined into a single manual. However, once again the

---

<sup>4</sup> Wellpath letter addressed to the Napa County Grand Jury, Re: Confidentiality of Wellpath Documents, dated April 29, 2020

County was unaware of this combining of manuals until attempting to respond to the Jury's documentation request. The June 3, 2019, certification documents noted above also apply to the Health Care Staff Procedures and are therefore also overdue.

Basic Training for Correction Personnel (Adult and Juvenile Facilities), Wellpath Agreement Exhibit "A" Items 1.14:

Nine items were provided in response to the Jury's request for Wellpath training documents specified in Section 1.14 of Appendix "A." One document was a course outline prepared in 2018, the remaining eight documents were class attendance records. The course outline was prepared by the Department of Corrections, not Wellpath. No Wellpath course outlines were provided. Three of the attendance documents were dated in 2015, four in 2018, and one in 2020. None of the documents were dated in 2019. This training documentation submittal was wholly unresponsive to the Jury's request. Neither NCDC nor NCPD provided verifiable evidence that any contractually required training was provided by Wellpath during calendar year 2019, nor any indication that the County had addressed this discrepancy.

Data Response Summary

The County's response to the documentation requested is shown in Enclosure (1). As noted in Enclosure (1) the County simply noted that in many cases neither NCDC nor NCPD had any documents responsive to the Jury's request (i.e., they had never been obtained from Wellpath). In response to the Jury's request (but not as the result of an NCDC or NCPD administrative inquiry) Wellpath did ultimately provide an explanation as to why some of the documentation was not available.

For those items identified by "Note 2," Table 2 of Enclosure (1), neither NCDC nor NCPD has provided verifiable evidence that the items have been prepared. For those items identified as "Provided" in Table 2, the documents came into the possession of the County for the first time on April 29, 2020,<sup>5</sup> and only in response to the Jury's request. Neither NCDC nor NCPD appear to have made an adequate effort to verify that Wellpath is complying with the administrative terms of the Wellpath Agreement.

Contractor Audit

As noted above, the Jury concentrated on only four of the twenty-seven sections of the Scope of Work defining the services to be provided by Wellpath (i.e., 15%). In each of the four areas, the Jury identified deficiencies in the documentation provided. Given the number and significance of the deficiencies identified in this small sampling, the Jury believes that the County should audit in detail Wellpath's performance under the Wellpath Agreement. The citizens of Napa County who pay more than three million dollars/year for these services deserve assurance that they are receiving full value.

Documents Not Examined

---

<sup>5</sup> Napa County Office of County Counsel email, RE: Grand Jury Document Request, dated 5/11/2020

The below listed documents are a subset of those provided to the County by Wellpath on April 27, 2020.

- CQI quarterly meeting minutes/summaries (4).
- Process and/or Outcome Quality Improvement Studies (minimum of one per year).
- Outcome Quality Improvement studies.
- Annual Calendar of Quality Improvement studies.

The Jury has not been afforded the ability to examine these documents for the reason noted below:

NCDC and Probation, working with Wellpath, their contracted medical services provider, have searched for and collected the documents responsive to each request to the extent such documents exist. During that process, Wellpath asserted some confidentiality and privilege objections to the Departments release of a subset of responsive document to the Grand Jury. The Department themselves do not object to providing you with all of the documents you have requested, but in light of these third-party objections, the Department will hold the documents that Wellpath asserts cannot be disclosed until the Grand Jury notifies the Department that Wellpath's objections have been resolved.

The Jury chose not to enter an undefined, third-party, confidentiality agreement with the County's contractor. These documents are held by the County. Neither NCDC nor NCPD have disputed the Jury's classification of these records as "public documents."

### **Wellpath Invoices**

#### **Submission of Wellpath Invoices**

The Wellpath Agreement contains the following provision: "CONTRACTOR shall submit invoices *not more often than quarterly* [emphasis added] to the Director of Corrections for Napa County Department of Corrections and Chief Probation Officer for Juvenile Hall...." This requirement is prudent in that it reduces the administrative burden on the County for the handling of invoices and also is advantageous for taxpayers with respect to the time value of money (TVM).<sup>6</sup> However, Wellpath submits invoices to the County monthly, the invoices are approved by the NCDC and NCPD monthly, and paid by the Auditor-Controller's Office monthly.

Section 4 of the Wellpath Agreement is entitled: Method of Payment. Although not explicitly stated, the Wellpath Agreement is apparently a "Fixed Price" contract (Section 3(a) Compensation). The Wellpath Agreement states:

If the Agreement provides for a fixed price, and CONTRACTOR presents interim invoices, CONTRACTOR must state the percentage of work completed, which must be verified by COUNTY, i.e., 35% design, 95% design, draft report, et

---

<sup>6</sup> The time value of money (TVM) is the concept that money you have now is worth more than the identical sum in the future due to its potential earning capacity.

cetera, at which time CONTRACTOR shall be paid the equivalent percentage of the fixed price.

The Jury was advised that this provision is not followed. Wellpath does not state the percentage of work completed. Neither NCDC nor NCPD verify that the goods and services have been provided.

#### Contractual Confirmation That Goods or Services Have Been Received

The Napa County Auditor-Controller's Office has a recommended Procedure entitled: Accounts Payable Procedures for Departments. Under the detailed procedures, the individual with approval authority is to "*Confirm that the goods or services have been received;*" [emphasis added]. The Jury was advised that in the case of the Wellpath Agreement, this confirmation was limited to verifying that the monthly amount invoiced by Wellpath was consistent with the County's budgeted amount. There was no evidence that any attempt was made to verify that the goods or services had been provided.

Exhibit A invokes the California Government Code Section 7550 requiring that "each document or report prepared by CONTRACTOR for or under the direction of COUNTY pursuant to this Agreement shall contain the numbers and dollar amounts of the Agreement and all subcontractors under the Agreement relating to the preparation of the document or written report..." The Jury could find no evidence that this provision is enforced.

## **One Size Fits All**

The Jury was disturbed by the County's failure to enforce various provisions of the Wellpath Agreement ranging from maintenance of records, to work product verification, to invoicing policies. One County employee offered a possible explanation for these apparent irregularities: "The County has one standard professional services agreement which is applied to a variety of contracting needs and not all the provisions specified in the agreement are applicable to every situation." Based on the Jury's investigation the "one size fits all" explanation appears highly probable, but unacceptable. For example, the Jury wonders why the County would sign a Professional Services Agreement with Wellpath containing the existing Term 21 (Access to Records) when both parties knew (or should have known) that there are documents which "are directly pertinent to the subject matter" of the agreement but which Wellpath does not permit County employees to view. Contract provisions that cannot (or will not) be enforced are worse than useless. The disbursement of public monies requires due diligence at all levels of administration.

## **FINDINGS**

- F1. Neither NCDC nor NCPD provided verifiable documentation that the required annual Wellpath/County reviews and approvals of the Procedures Manual have been conducted after June 3, 2019, indicating inadequate monitoring of Wellpath's administrative performance.
- F2. Neither NCDC nor NCPD provided verifiable documentation that any contractually required training was provided by Wellpath during calendar year 2019 indicating inadequate monitoring of Wellpath's performance.
- F3. Neither NCDC nor NCPD are able to provide verifiable documentation that Wellpath has prepared and maintained documents required by Exhibit "A" Item 3.a. for those items which Wellpath has chosen to define as "Patient Safety activity work products" under the provision of 42 U.S.C.A. 299b, indicating inadequate monitoring of Wellpath's performance.
- F4. Neither NCDC nor NCPD provided verifiable evidence that the items annotated as "The Department does not have any documents responsive to this request." in Enclosure (1), Table 2, have been produced, indicating inadequate monitoring of Wellpath's performance.
- F5. The County has public documents within its custody which it is withholding from examination by the Jury based on objections from Wellpath.
- F6. The Jury identified a significant number of administrative deficiencies in a limited sampling of Wellpath's work indicating inadequate monitoring of Wellpath's performance.
- F7. Not all the Wellpath Agreement Terms or Appendix "A" Scope of Work Items are uniformly administered, indicating inadequate monitoring of Wellpath's performance.

- F8. The Napa County Department of Corrections and Napa County Probation Departments approve Wellpath invoices based solely on the basis that a submitted claim agrees with the budgeted amount, not by verification of work performed. The taxpayers of Napa County are billed more than 3 million dollars a year based on this limited information.
- F9. The Wellpath Agreement calls for quarterly submittal of invoices, but the County accepts monthly submittals adding to the cost of administering the Agreement.

**THE GRAND JURY RECOMMENDS:**

- R1. NCDC and NCPD require Wellpath to maintain the Procedures Manual in accordance with the provisions of the BSC Title 15 and the Wellpath Agreement. This action to be completed by December 31, 2020, and thereafter for the term of the Agreement.
- R2. NCDC and NCPD require Wellpath to provide training for Probation and Correctional Personnel in accordance with the provisions of the Wellpath Agreement. This action to be completed by December 31, 2020, and annually thereafter.
- R3. NCDC and NCPD require Wellpath to certify the preparation of “Patient Safety activity work products.” This action to be completed by December 31, 2020, and annually thereafter.
- R4. NCDC and NCPD are to establish the existence of those items required by the Wellpath Agreement, but which are not held by the County, to be verified by June 30, 2021.
- R5. The Napa County Board of Supervisors institute a one-time audit of Wellpath’s compliance with the Scope of Work contained in the Wellpath Agreement. This audit to be independent of the NCDC and NCPD, and to include a physician with contract administration experience. This audit to be completed no later than June 30, 2021.
- R6. The Napa County Auditor-Controller, the Departments of Corrections and Probation, County Counsel, and County Executive Officer are to review the provisions of the Wellpath Agreement, including Exhibits “A” and “B,” and institute the appropriate Services Agreement amendments or modifications, as provided for in the Agreement, necessary to reflect the actual contract requirements. This action to be completed by December 31, 2020.
- R7. The Napa County Auditor-Controller, together with the Departments of Correction and Probation, is to establish clearly defined criteria for the confirmation that goods or services have been received from Wellpath. These criteria are to be put in place by December 31, 2020.
- R8. The County of Napa should not accept Wellpath invoices submitted more frequently than quarterly. This policy to be implemented by the second quarter of fiscal year 2020-2021.

## ENCLOSURE (1)

### RESPONSES TO DATA REQUESTS

**TABLE 1**

**County Counsel Response for NCPD dated 4/27/2020**

1	Policy & Procedures manual	Provided
2	Annual Record of review and approval	Note 1
3	Quarterly Medical Administrative Committee meeting minutes (4)	Note 1
4	Monthly health care staff meeting minutes (12)	Note 1
5	Records of quality improvement drills	Note 1
6	Monthly statistical reports of health care services (12)	Note 1
7	Continuous Quality Improvement (CQI)	Note 1
8	program details	Note 1
9	CQI quarterly meeting minutes/summaries (4)	Note 1
10	Process and/or Outcome Quality Improvement Studies	Note 1
11	Outcome Quality Improvement studies	Note 1
12	Annual Calendar of Quality Improvement studies	Note 1
13	Minimum thresholds for site-specific issues or problems	Note 1
14	Random sampling procedures for audits	Note 1
15	Contractor and Corrections/Probation Department personnel training records	Provided
Note 1	After a search of documents in its care, custody in control, the Probation Department found no documents responsive to this request. The Department believes these documents to be in the care, custody and control of Wellpath.	

**TABLE 2**

**County Counsel Joint Response for NCPD & NCDC dated 5/1/2020**

1	Procedures Manual Documents, 1.1.a, 1.1.b, and 1.1.c	Provided
2	Quality Management Program/Health Service Audits, paragraphs 1.3.a., 1.3.b., 1.3.c., and 1.3.d.	Note 2
3	Health Care Staff Procedures, 1.4.c	No
4	Basic Training for Correction Personnel, 1.14.a. and 1.14.b.	Provided
5	Health Care Staff Qualification, Development and Training, 1.24.a	Note 2
6	Policy and Procedures Manual w/declaration page	Provided
7	Annual record review and approval of all policies and procedures	Note 2
8	Quarterly Medical Administrative Committee meeting minutes	Note 2
9	Monthly health care staff meeting minutes	Note 2
10	Records of quality improvement emergency drills	Note 2
11	Monthly statistical reports of health care services	Provided
12	Continuous Quality Improvement (CQI) Program Details	Note 2
13	CQI quarterly meeting minutes/summaries	Provided
14	Process and/or Outcome Quality Improvement Studies	Provided
15	Outcome Quality Improvement Studies	Provided
16	Annual Calendar of Quality Improvement studies	Provided
17	Minimum threshold for site-specific issues or problems to be studied	Note 2
18	Random sampling procedures for audits	Note 2
19	Annual review of effectiveness of the CQI program	Note 2

Note 2 The Department does not have any documents responsive to this request.



**NAPA COUNTY GRAND JURY  
2019-2020**

**FINAL REPORT**

**May 25, 2020**

**REVIEW OF RESPONSES TO THE  
2018-2019 GRAND JURY REPORTS**

## Table of Contents

I.	Summary	90
II.	Methodology	91
III.	Discussion: Timelines	92
IV.	Findings	94
V.	Reviewed Responses of 2018-2019 Grand Jury Final Reports	
	City of Napa Traffic Signal Synchronization Study	95
	Enforcing Short-Term Vacation Rental Codes in the Napa Valley	96
	Mental Health Services—Juvenile Hall	100
	Napa County Water Quality—It’s a Matter of Taste	101
	St. Helena—A Small Town with Big City Problems	108
	Under a Microscope—Napa County Jail Healthcare Services	113
	Where’s My Costco—A History of the Napa Pipe Project	114

# Review of Responses to the 2018-2019 Grand Jury Reports

May 25, 2020

## I. SUMMARY

California Penal Code Section 933 requires elected officials or agency heads to respond within 60 days of the issuance of a grand jury report that requires their response and requires governing bodies to respond within 90 days.<sup>1</sup> Section 933.05 specifies the way the responding parties are to make their responses. These responses are transmitted to the presiding judge of the superior court.

The response to a *Finding* must be provided in one of the two following formats:

1. The respondent agrees with the finding.
2. 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 for the reasons therefor.

The response to a *Recommendation* must be provided in one of the following four formats:

1. The recommendation has been implemented, with a summary, regarding the implemented action.
2. The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
3. 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 head of the agency or public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
4. The recommendation shall not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

The 2018-2019 Napa County Grand Jury issued its Consolidated Report on June 24, 2019. The report consisted of eight individual final reports, one of which was a review

---

<sup>1</sup> Subdivision (c) provides that: “No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer supervises or controls.”

of responses to the 2017-2018 Grand Jury reports. The Grand Jury made findings and recommendations in all of its investigative reports, except for the final report on Juvenile Hall where there were findings but no recommendations. As part of the Grand Jury's commitment to continuity, its processes, and to the law, the 2019-2020 Grand Jury has analyzed for statutory compliance all the required responses by elected officials, agency heads, and government agencies to all eight of the 2018-2019 Grand Jury's investigative reports.<sup>2</sup>

In ten instances the responses did not comply with Penal Code Sections 933 and 933.05. The 2019-2020 Grand Jury recommends that jurisdictions pay closer attention to the code requirements when responding to Grand Jury findings and recommendations. Specifically, if the respondent disagrees wholly or partially with a finding the response must identify the portion of the finding that is disputed and an explanation of the reason for the dispute. If a recommendation will not be implemented or is not reasonable, the response must include an explanation for non-implementation. The Methodology section of this report defines the response requirements.

In two instances the required responses were received after the stated deadline and only after the 2019-2020 Grand Jury requested a response.

## II. METHODOLOGY

The 2019-2020 Grand Jury evaluated responses to the 2018-2019 Grand Jury's recommendations to ensure compliance with Sections 933 and 933.05 using the statutory criteria.

§933(c) Were responses by the presiding judge within the legal time limits from the date of each final report's release (90 days for a public agency and 60 days for an elected official)?

§933.05(a) Did the response to a finding satisfy requirement of Section 933.05?

1. The respondent agrees with the finding; or
2. 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.

§933.05 (b) Did the response to a recommendation satisfy the requirement of Section 933.05 (b)?

1. The recommendation has been implemented, with a summary regarding the implemented action; or

---

<sup>2</sup> The 2018-2019 Grand Jury Continuity Report did not solicit comments.

2. The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation; or
3. 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 head 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 publication of the grand jury report; or
4. The recommendation will not be implemented because it is not warranted or is not reasonable, with explanation therefor.

### III. DISCUSSION

#### Timelines

Details of 2018-2019 report publishing dates and due dates of the responses are shown below in Table 1. Most responses were provided within the specified time requirements.

**Table 1: Publishing and Due Dates of 2018-2019 Reports**

**Review of Responses to 2018-2019 Napa County Grand Jury**

RESPONDENT	DATE PUBLISHED	REPLY DUE	DATE RECEIVED	DATE UPDATE REQUESTED <sup>3</sup>
City of Napa	June 24, 2019	September 24, 2019	September 10, 2019	N/A

**City of Napa Traffic Signal Synchronization Study**

RESPONDENT	DATE PUBLISHED	REPLY DUE	DATE RECEIVED	DATE UPDATE REQUESTED
City of Napa	June 24, 2019	September 24, 2019	September 10, 2019	N/A

---

<sup>3</sup> If the respondent did not reply by the deadline imposed by the Penal Code, the 2019-2020 Grand Jury requested an update.

**Enforcing Short-Term Vacation Rental Codes in the Napa Valley**

RESPONDENT	DATE PUBLISHED	REPLY DUE	DATE RECEIVED	DATE UPDATE REQUESTED
City of Napa	June 24, 2019	September 24, 2019	City of Napa-Sept 12, 2019	N/A
Planning & Board of Supervisors (BOS)		September 24, 2019	September 24, 2019	N/A

**Juvenile Hall—Mental Health Services**

RESPONDENT	DATE PUBLISHED	REPLY DUE	DATE RECEIVED	DATE UPDATE REQUESTED
Napa County Board of Supervisors	April 11, 2019	July 11, 2019	May 9, 2019	N/A

**Napa County Water Quality—It’s a Matter of Taste**

RESPONDENT	DATE PUBLISHED	REPLY DUE	DATE RECEIVED	DATE UPDATE REQUESTED
City of American Canyon	June 14, 2019	September 14, 2019	October 17, 2019	October 2, 2019
City of Calistoga			September 10, 2019	N/A
City of Napa			September 17, 2019	N/A
City of St. Helena			September 10, 2019	N/A
Local Agency Formation Commission (LAFCO)			July 5, 2019	N/A
Town of Yountville			August 13, 2019	N/A

**St. Helena—A Small Town with Big City Problems**

RESPONDENT	DATE PUBLISHED	REPLY DUE	DATE RECEIVED	DATE UPDATE REQUESTED
City of St. Helena	June 25, 2019	September 25, 2019	September 10, 2019	N/A

**Under a Microscope--Napa County Jail Healthcare Services**

RESPONDENT	DATE PUBLISHED	REPLY DUE	DATE RECEIVED	DATE UPDATE REQUESTED <sup>4</sup>
Napa County Board of Supervisors	May 13, 2019	August 13, 2019	August 11, 2019	N/A

**Where's My Costco?—A History of the Napa Pipe Project**

RESPONDENT	DATE PUBLISHED	REPLY DUE	DATE RECEIVED	DATE UPDATE REQUESTED
City of Napa	June 28, 2019	September 28, 2019	September. 25, 2019	N/A
Napa County Board of Supervisors (BOS)		September 28, 2019	September 24, 2019	N/A

**IV. FINDINGS**

- F1. With two exceptions, all the responses to the 2018-2019 Napa County Grand Jury reports were completed and returned within the required timeframe:
1. The due date for the report “Napa County Water Quality—It’s a Matter of Taste,” was September 14, 2019; however, the City of Napa did not respond until September 17, 2019.
  2. City of American Canyon did not respond until October 17, 2019.
- F2. With two exceptions, all respondents complied with Sections 933 and 933.05 of the Penal Code:
1. Ten responses to Recommendations in the report, “St. Helena—A Small Town with Big City Problems,” by the City of St. Helena did not comply with 933 and 933.05 of the Penal Code. Please refer to requirements on Summary on Page 3.
  2. The response to Recommendation 3 in the report “City of Napa Traffic Signal Synchronization Study” indicates the recommendation will be

implemented in the future but does not specify a date, as required by Penal Code Section 933.05 (b), Item 2.

## V. REVIEW OF RESPONSES

### City of Napa Traffic Signal Synchronization Study

<b>The 2018-2019 Napa County Grand Jury Found</b>	<b>Required/Invited (Respondent</b>	<b>Responses</b> <b>For full responses go to</b> <a href="http://www.napacourt.com/grand-jury/reports-response%202018-2019">http://www.napacourt.com/grand-jury/reports-response%202018-2019</a>
F1. The Transportation Operations Center (TOC) is understaffed given the recent vacancy of one full-time senior engineering aide. This position is not expected to be filled for several months.	City Response*  *Refers only to matters under control of the City of Napa.	The City of Napa agrees with this finding.
F2. A final purchasing decision on an upgraded system has yet to be finalized while one of the bidders is re-visiting their proposal on pricing.	City Response	The City of Napa disagrees with this finding.
F3. The traffic signals at the on and off ramps of Highway 29 and Redwood Road/Trancas Avenue (sic) are under the control of Caltrans making it difficult for the City of Napa to efficiently control the traffic along the Trancas corridor.	City Response	The City of Napa agrees with this finding.
F4. The Department of Public Works does not have a Master Plan for the systemic repair, maintenance and replacement of its traffic lights.	City Response	The City of Napa partially disagrees with this finding.
<b>The 2018-2019 Napa County Grand Jury Recommendations</b>	<b>Required/Invited Respondent</b>	<b>Responses</b> <b>For full responses go to</b> <a href="http://www.napacourt.com/grand-jury/reports-response%202018-2019">http://www.napacourt.com/grand-jury/reports-response%202018-2019</a>
R1. The Director of Public Works fill the vacant Senior Engineering Aide position at the TOC as soon as possible.	City Response	This recommendation has been implemented.

R2. When the 2019-2020 fiscal budget becomes effective on July 1, the Department of Public Works finalize the selection of a traffic management software package and initiate the purchasing process for the installation commencing by January 1, 2020.	City Response	This recommendation has been implemented.
R3. The City Council and PWD resume negotiations with Caltrans for the release of control of the traffic signals located on Redwood Road/Trancas Street at the intersection of Highway 29, by March 31, 2020.	City Response	This recommendation has not been implemented but will be implemented in the future. (See brief discussion in original report.)
R4. The Grand Jury recommends that the PWD develop a comprehensive Master Plan for the systemic repair, maintenance and replacement of the traffic signals in their jurisdiction by December 31, 2020.	City Response	This recommendation has not been implemented but will be by December 31, 2020.

### Enforcing Short-Term Vacation Rental Codes in Napa Valley

<b>The 2018-2019 Napa County Grand Jury Found</b>	<b>Required/Invited Respondent</b>	<b>Responses</b> For full responses go to <a href="http://www.napacourt.com/grand-jury/reports-response%202018-2019">http://www.napacourt.com/grand-jury/reports-response%202018-2019</a>
F1. Neither the County of Napa Code Compliance division nor the City of Napa Code Enforcement division have enough staff to manage all the code compliance and enforcement complaints they receive from the public in a timely fashion.	City Response	The City of Napa partially agrees with this finding.
	Director Planning, Building, and Environmental Services	The Director disagrees partially with the finding as it pertains to the County.

	Board of Supervisors (BOS)	The BOS agrees with the Director.
F2. Both the County and City of Napa Municipal Code are outdated, unwieldy, and in need of revision. Officials recognize that the task is difficult with the current staff, and violations cannot be completely remedied. This leaves code enforcement officers without sufficient resources to enforce the County/City codes for the benefit and protection of citizens.	City Response	The City of Napa disagrees with this finding.
	Director Planning, Building, and Environmental Services	The Director disagrees partially with the finding as it pertains to the County.
	Board of Supervisors (BOS)	The BOS agrees with the Director.
F3. The County has an estimated 450 non-permitted STVRs within the unincorporated areas of the County. This not only deprives the County of much-needed housing stock for residents and workforce but also denies revenue to hotels as well as Transient Occupancy Taxes to the County and its cities. The number of non-permitted STVRs in the City of Napa is unknown.	City Response	The City of Napa agrees with this finding.
	Director Planning, Building, and Environmental Services	The Director agrees with this finding.
	Board of Supervisors (BOS)	The BOS agrees with the Director.
F4. Both the County of Napa Code Compliance officers as well as the City of Napa Code Enforcement Officers have restricted work schedules that limit their ability to monitor STRV violations during peak evening and weekend hours when many violations occur.	City Response	The City of Napa disagrees with this finding
	Director Planning, Building, Environmental Services	The Director disagrees partially with the finding as it pertains to the County.
	Board of Supervisors (BOS)	The BOS agrees with the Director.
F5. STVR owners are aware of the resource limitations faced by City and County enforcement teams and	City Response	The City of Napa partially agrees with this finding.

are thus adept at avoiding detection and/or prosecution.	Director Planning, Building, and Environmental Services	The Director disagrees partially with the finding.
	Board of Supervisors (BOS)	The BOS agrees with the Director.
F6. The County CC officer is a potentially dangerous occupation. Officers are issued bullet proof vests but are not supplied the appropriate tools, such as pepper spray, to defend themselves.	City Response	Not required.
	Director Planning, Building, and Environmental Services	Director disagrees partially with the finding.
	Board of Supervisors (BOS)	The BOS agrees with the Director.

<b>The 2018-2019 Napa County Grand Jury Recommendations</b>	<b>Required/Invited Respondent</b>	<b>Responses</b>
R1. Both the County of Napa Compliance division and the City of Napa Code Enforcement division evaluate their staffing ratios versus complaints received and cases investigated. This should be completed by December 31, 2019.	City Response	This recommendation will be implemented.
	Director Planning, Building, and Environmental Services	The recommendation will not be implemented by the County because it is not warranted.
	Board of Supervisors (BOS)	The BOS agrees with the Director.
R2. Both the County of Napa and the City of Napa complete a revision to their respective codes by June 30, 2020. These revisions should remove outdated codes which are no longer enforced as well as make it easier for residents to find answers to their most common code questions.	City Response	This recommendation will not be implemented regarding Vacation Rental Ordinance, which is current and effective.
	Director Planning, Building, and Environmental Services	The recommendation will not be implemented by the County because it is not warranted.
	Board of Supervisors (BOS)	The BOS agrees with the Director.

R3. When staff turnover allows, both the City and County of Napa consider an alternative workweek for new CE officers hires that would allow for evening and/or weekend coverage.	City Response	This recommendation is currently being implemented.
	Director Planning, Building, and Environmental Services	The recommendation will not be implemented by the County because it is not reasonable.
	Board of Supervisors (BOS)	The BOS agrees with the Director.
R4. The County explore ways to reduce the number of non-permitted STVRs in the unincorporated areas of the county by June 30, 2020.	Director of Planning, Building, and Environmental Services	The recommendation requires further analysis.
	Board of Supervisors (BOS)	The BOS agrees with the Director.
R5. The County authorize and train CC officers to be armed with pepper spray by June 30, 2020.	Director of Planning, Building, and Environmental Services	The recommendation has not yet been implemented.
	Board of Supervisors (BOS)	The BOS agrees with the Director.

<b>The 2018-2019 Napa County Grand Jury Commendations:</b>	<b>Required/Invited Respondent</b>	<b>Responses</b> <b>For full responses go to <a href="http://www.napacourt.com/grand-jury/reports-response%202018-2019">http://www.napacourt.com/grand-jury/reports-response%202018-2019</a></b>
The Napa Valley Register has recently reported that the City and County CC/CE teams have taken legal action against several non-permitted STVRs and the Grand Jury strongly support those actions and the accompanying public show of enforcement.	City Response	
	Director Planning, Building, and Environmental Services	N/A
	Board of Supervisors (BOS)	The BOS appreciates the Grand Jury commending enforcement staff's efforts.

### Mental Health Services in the Napa County Juvenile Hall

<b>The 2018-2019 Napa County Grand Jury Found;</b>	<b>Required/Invited Respondent</b>	<b>Responses</b> <b>For full responses go to</b> <a href="http://www.napacourt.com/grand-jury/reports-response%202018-2019">http://www.napacourt.com/grand-jury/reports-response%202018-2019</a>
F1. The Napa County Juvenile Hall staff works collaboratively and cohesively with the mental health counselors and the medical staff from Wellpath to provide adequate mental health services to all juveniles who are in custody.	Board of Supervisors	The respondent agrees with the finding.
F2. The Napa County Office of Education’s Crossroads School provides juveniles with a pathway to continue their education toward earning a high school diploma.	Board of Supervisors	The respondent agrees with the finding.

<b>The 2018-2019 Napa County Grand Jury Commendations;</b>	<b>Required/Invited Respondent</b>	<b>Responses</b> <b>For full responses go to</b> <a href="http://www.napacourt.com/grand-jury/reports-response%202018-2019">http://www.napacourt.com/grand-jury/reports-response%202018-2019</a>
C1. The Grand Jury commends the Napa County Juvenile Hall staff, the mental health counselors, and the medical staff from Wellpath for their dedication and professionalism in providing mental health services to all juveniles who are in need of these services.	N/A	N/A
C2. The Grand Jury commends the Napa County Office of Education and their supporting staff at Crossroads School for their commitment to offer a pathway to High School graduation.	N/A	N/A

**Napa County Water Quality: It's a Matter of Taste.**

<b>The 2018-2019 Napa County Grand Jury Found</b>	<b>Required/Invited Respondent</b>	<b>Responses</b> For full responses go to <a href="http://www.napacourt.com/grand-jury/reports-response%202018-2019">http://www.napacourt.com/grand-jury/reports-response%202018-2019</a>
F1. Drinking water supplied by all Napa County municipalities meets all USEPA and State Water Resources Control Board standards and is safe to drink.	City of Napa	The respondent agrees.
	City of American Canyon	The respondent agrees.
	City of St. Helena	The respondent agrees.
	City of Calistoga	The respondent agrees.
	Town of Yountville	The respondent agrees.
F2. Drinking water supplied by each municipality is acknowledged by all Napa County Public Works officials to have, from time to time, predictable Taste and Odor (T&O) and color issues which, while not unsafe, the water-consuming public may find objectionable and a cause for concern.	City of Napa	The respondent partially disagrees.
	City of American Canyon	The respondent partially disagrees.
	City of St. Helena	The respondent partially disagrees.
	City of Calistoga	The respondent partially disagrees.
	Town of Yountville	The respondent partially disagrees.
F3. Communication of water quality testing and T&O and color issues to the public by all Napa County Public Works municipalities is inconsistent and, at times, inadequate.	City of Napa	The respondent partially disagrees.
	City of American Canyon	The respondent disagrees.
	City of St. Helena	The respondent disagrees.
	City of Calistoga	The respondent disagrees.
	Town of Yountville	The respondent disagrees.

F4. Napa County Public Works officials are aware of existing T&O and color issues and a number of municipalities are assessing and testing various treatment options for improvement, including long-term capital improvements.	City of Napa	The respondent agrees.
	City of American Canyon	The respondent partially agrees.
	City of St. Helena	The respondent partially disagrees.
	City of Calistoga	The respondent agrees.
	Town of Yountville	The respondent partially disagrees.
F5. Public Works officials countywide treat T&O and color issues as less important than Federal and State regulated contaminant standards, thereby minimizing T&O and color concerns in their water treatment standards and reporting.	City of Napa	The respondent disagrees.
	City of American Canyon	The respondent disagrees.
	City of St. Helena	The respondent disagrees.
	City of Calistoga	The respondent disagrees.
	Town of Yountville	The respondent disagrees.
F6. All municipalities lack formal written procedures for the handling of water quality complaints.	City of Napa	The respondent disagrees.
	City of American Canyon	The respondent partially disagrees.
	City of St. Helena	The respondent partially disagrees.
	City of Calistoga	The respondent agrees.
	Town of Yountville	The respondent partially disagrees.
F7. There are large disparities in household drinking water and wastewater rates between municipalities, with smaller, up-valley cities in Napa County paying much higher costs for the same	City of Napa	The respondent agrees.
	City of American Canyon	The respondent agrees.
	City of St. Helena	The respondent agrees.
	City of Calistoga	The respondent agrees.

amount of residential drinking water and wastewater.	Town of Yountville	The respondent agrees.
F8. Residents of mobile home parks, gated communities and apartment buildings do not always receive communication about water quality or taste and odor issues—rather the owner/operator/manager of the site receives required water notifications and is not required to pass the notification on to the individual residents.	City of Napa	The respondent agrees.
	City of American Canyon	The respondent does not agree.
	City of St. Helena	The respondent partially disagrees.
	City of Calistoga	The respondent agrees.
	Town of Yountville	The respondent partially disagrees.

<b>The 2018-2019 Napa County Grand Jury Recommendations</b>	<b>Required/Invited Respondent</b>	<b>Responses</b> <b>For full responses go to <a href="http://www.napacourt.com/grand-jury/reports-response%202018-2019">http://www.napacourt.com/grand-jury/reports-response%202018-2019</a></b>
R1. Each Napa County municipality’s Department of Public Works explain on its City and/or Department of Public Works website, in water invoices, via social media and other local media, what on-going water quality tests are taken, where and when they are taken and what is required if the results do not meet USEPA and State standards. Each of Napa County’s five Department of Public Works should implement these actions no later than June 30, 2020.	City of Napa	The recommendation has been implemented in part, but will be implemented by June 30, 2020.
	City of American Canyon	The recommendation has been implemented.
	City of St. Helena	This recommendation has been implemented.
	City of Calistoga	This recommendation has been implemented.
	Town of Yountville	The recommendation has been implemented.

<p>R2. Each Napa County municipality’s Department of Public Works advise citizens of known and anticipated T&amp;O and color issues by notices on its Department of Public Works website and within social media and news media. Each of Napa County’s five Departments of Public Works should implement these actions no later than June 30, 2020.</p>	City of Napa	The recommendation has been implemented.
	City of American Canyon	The recommendation has been implemented.
	City of St. Helena	This recommendation has been implemented.
	City of Calistoga	This recommendation has been implemented.
	Town of Yountville	The recommendation has been implemented.
<p>R3. Each Napa County municipality’s Department of Public Works identify, evaluate, and estimate water treatment process improvements and long-term capital improvement programs that could mitigate T&amp;O and color issues in their respective water treatment operations. Each of Napa County’s five Department of Public Works should implement these actions no later than June 30, 2020.</p>	City of Napa	The recommendation has not been implemented but will be in the future in the timeframe described in the full response.
	City of American Canyon	The City partially agrees and will evaluate improvements as part of its planned Water Treatment Plant Master Plan effort scheduled to take place in FY19/20 and FY20/21. It will not be implemented until the LAFCO Municipal Service Review process and report are completed.
	City of St. Helena	This recommendation has been implemented.
	City of Calistoga	This recommendation has not been implemented but will be evaluated and considered in the future.
<p>R4. Each Napa County’s municipality’s Department of Public Works publish T&amp;O and color quality measures and results as part of their Annual Consumer Confidence Water Quality Report provided to the citizens. Each of</p>	City of Napa	The recommendation has been implemented.
	City of American Canyon	This recommendation has not yet been implemented but will be in the future by June 30, 2020.

<p>Napa County’s Department of Public Works should implement this action in the 2019 Report published by June 30, 2020.</p>	<p>City of St. Helena</p>	<p>This recommendation has not been implemented but will be implemented in the future by June 30, 2020.</p>
	<p>City of Calistoga</p>	<p>This recommendation has been partially implemented.</p>
	<p>Town of Yountville</p>	<p>The recommendation has not been implemented but will be in the future by June 30, 2020.</p>
<p>R5. Each Napa County municipality’s Department of Public Works establish a formal written complaint policy identifying how complaints should be received, processed, tracked, responded to, and reported, including a written complaint resolution notice to be issued for every complaint. Each of Napa County’s Department of Public Works should implement these actions no later than June 30, 2020.</p>	<p>City of Napa</p>	<p>With respect to establishing a formal written policy, this recommendation has not been implemented but will be by June 30, 2020.</p> <p>With respect to a written complaint notice to be issued for every complaint, this recommendation will not be implemented because it is not warranted.</p>
	<p>City of American Canyon</p>	<p>The recommendation has been partially implemented and full implementation is expected by June 30, 2020</p>
	<p>City of St. Helena</p>	<p>The recommendation has been partially implemented and full implementation is expected by June 30, 2020.</p>
	<p>City of Calistoga</p>	<p>With respect to establishing a formal written policy, this recommendation has not been implemented but will be by June 30, 20.</p> <p>With respect to a written complaint notice to be issued for every complaint, the recommendation mostly been implemented. The written complaints will be reported as required by the State Water Control Board.</p>

	Town of Yountville	This recommendation has been partially implemented and full implementation is expected by June 30, 2020.
R6. Each Napa County municipality's Department of Public Works establish a formal written communication policy identifying how to better communicate to and interact with customers in mobile home parks, gated communities, and apartment residents that are beyond the water meter. Each of Napa County's Department of Public Works should implement these actions no later than June 30, 2020.	City of Napa	This recommendation has been implemented, in part. Additional portions of this recommendation will not be implemented because it is not reasonable for the City to attempt to directly communicate with end users of City water services that are not the City's customers.
	City of American Canyon	This recommendation has been partially implemented and full implementation is expected by June 30, 2020.
	City of St. Helena	The recommendation has been partially implemented and full implementation is expected by June 30, 2020.
	City of Calistoga	This recommendation will not be implemented.
	Town of Yountville	This recommendation has been partially implemented and full implementation is expected by June 30, 2020.

<p>R7. The LAFCO Municipal Service Review of drinking water and wastewater countywide resources recommendations are due in February 2020. Each Napa County municipality’s senior municipal elected officials should review, evaluate, respond to, and where appropriate, incorporate the LAFCO MSR recommendations into each Napa County municipality’s operating and long-range plans. Each of Napa County’s senior elected municipal officials should implement these actions by no later than June 30, 2020.</p>	<p>City of Napa</p>	<p>The recommendation has not yet been implemented but will be once the LAFCO Municipal Service Review has been finalized.</p>
	<p>City of American Canyon</p>	<p>The recommendation requires further analysis of a discretionary action of LAFCO when the report is finally released. As with other recommendations and reports from LAFCO, the City is committed to a thorough review and analysis of this report once it is published. However, before the City can commit to implement a course of yet unknown recommendations, it would be appropriate for the City to review, evaluate, and fully understand the scope and implications of the recommendations contained in the LAFCO MSR.</p>
	<p>City of St. Helena</p>	<p>The recommendation requires further analysis as the referenced report has yet to be completed.</p>
	<p>City of Calistoga</p>	<p>This recommendation has not yet been implemented but will be once the LAFCO Service Review has been finalized.</p>

	Town of Yountville	The recommendation requires further analysis as the referenced report has yet to be completed.
	LAFCO	The respondent agrees with the recommendation. The LAFCO MSR is scheduled to be completed in February 2020. Any recommendations contained in the MSR will be more likely to be acted upon if they are reviewed, evaluated and responded to by each Napa County municipality as recommended by the Grand Jury.

**St. Helena: A Small Town with Big City Problems**

<b>The 2018-19 Grand Jury Found:</b>	<b>Required/ Invited Respondent</b>	<b>Responses For full responses go to <a href="http://www.napacourt.com/grand-jury/reports-response%202018-2019">http://www.napacourt.com/grand-jury/reports-response%202018-2019</a></b>
F1: The City’s financial forecasting is not performed by an actuary thereby leaving the results suspect. It is not reasonably possible to do a five-year financial planning without accurate revenue and expense data and forecasts.	City of St. Helena	The respondent disagrees with this finding.
F2: The City’s capital improvement plan does not list amounts to be expended for the Water and Wastewater Enterprise projects mandated by federal, state, and local authorities. The upper York Creek Dam, Bell Canyon Reservoir and Wastewater projects have been on the CIP docket for many years, without beginning construction or making other material forward progress toward their completion.	City of St. Helena	The respondent disagrees with this finding.
F3: The various projects facing the City place tremendous time and	City of St. Helena	The respondent disagrees with this finding.

expertise burdens on the City staff. City staff lack specific expertise to manage some of these complicated dam and reservoir projects.		
F4: The City has not adhered to its own Capital Improvement Plans for the previous ten years. This is especially notable concerning how few of the major projects listed repeatedly in the CIPs over these years — have been completed.	City of St. Helena	The respondent partially disagrees with this finding.
F5: The City’s Water and Wastewater Enterprise rates are suspect, due to an inaccurate water and wastewater rate report.	City of St. Helena	The respondent disagrees with this finding.
F6: The SHAPE Committee recommendations to the City did not include less expensive options in the SHAPE Committee Report.	City of St. Helena	The respondent disagrees with this finding.
F7: On a regular basis, the City’s Comprehensive Annual Financial Report has not funded the cost of deferred asset maintenance, which has left its physical assets in disrepair.	City of St. Helena	The respondent disagrees with this finding.
F8: The cost of the “City Attorney” is remarkably higher than comparable small cities in Northern California.	City of St. Helena	The respondent partially disagrees with this finding
F9: There is no budgeted or written method for dealing with the City’s unfunded pension liabilities as reported to the City in the Bartel and Associates Report.	City of St. Helena	The respondent disagrees with this finding.
F10: The City’s residents are not adequately informed of the financial impact of decisions made by the City Council and City Staff.	City of St. Helena	The respondent disagrees with this finding.

<b>The 2018-2019 Napa County Grand Jury Recommendations</b>	<b>Required/Invited Respondent</b>	<b>Responses</b> For full responses go to <a href="http://www.napacourt.com/grand-jury/reports-response%202018-2019">http://www.napacourt.com/grand-jury/reports-response%202018-2019</a>
---	------------------------------------	--

R1: Prior to issuance of the 2020-2030 CIP, the City should engage an experienced outside actuarial firm, or assign a qualified member of City Staff, to generate a professionally appropriate Long-Range Financial Forecast, for the fiscal years beginning July 1, 2020 and thereafter.	City of St. Helena	This recommendation is rejected.
R2: The City should adopt a system that prioritizes payments for projects mandated by federal, state or local authorities to go into effect no later than the fiscal year beginning July 1, 2020. This mandate should provide that lesser projects cannot subvert any prioritized projects. Projects that are mandated by law (i.e. Upper York Creek Dam and Wastewater Plant retrofit) should be assigned to a City Council member for oversight and project management to completion. This Council member should be required to provide regular periodic status reports to all St. Helena citizens.	City of St. Helena	The City's response does not comply with Penal Code §933.05. <sup>5</sup>
R3: No later than Fiscal Year beginning July 1, 2020, the City should adhere to its Capital Improvement Plans.	City of St. Helena	The City's response does not comply with Penal Code §933.05. <sup>5</sup>
R4: For larger and more complex projects such as Bell Canyon Reservoir, Upper York Creek Dam and the Wastewater Plant retrofit, the City should consider hiring or otherwise engaging the services of an outside project manager to oversee the project, in order to lessen the burden on City Staff and assure a timely and appropriate outcome for the project completion.	City of St. Helena	The City's response does not comply with Penal Code §933.05. <sup>5</sup>

---

<sup>5</sup> See Summary on Page 3 for response requirements

These assignments should take place commensurate with the start of July 1, 2020 budget year.		
R5: The City should review and implement the findings in the new Water Rate study, on or before June 30, 2020, and thereafter review then-current and relevant engineering and rate studies to determine appropriate multi-tiered Water and Wastewater rates.	City of St. Helena	The City's response does not comply with §933.05. <sup>6</sup>
R6: In accordance with the new Water Rate and no later than June 30, 2020, the City should identify, review and renegotiate all water contracts with commercial and residential users located inside and outside the City limits. All such rates and contracts should be identified publicly to all City taxpayers and residents.	City of St. Helena	The City's response does not comply with Penal Code §933.05. <sup>6</sup>
R7: The City should follow and seriously consider the findings in the current LAFCO municipal services review, cited in the Water Quality Report by the 2018-2019 Grand Jury, published June 14, 2019.	City of St. Helena	The City's response does not comply with Penal Code §933.05. <sup>6</sup>
R8: The City should reconsider the proposed City Hall Project on or before June 30, 2020. The estimated costs and sources for funding the proposed City Hall project should be included on the most current Capital Improvements Plan docket and Long-range Financial Forecast. Emphasis should be placed on the City's existing real property assets as "City Hall" offices.	City of St. Helena	The City's response does not comply with Penal Code §933.05. <sup>6</sup>
R9: Beginning in the 2020-2021 Fiscal Year beginning July 1, 2020, and continuing thereafter, the City	City of St. Helena	The City's response does not comply with Penal Code §933.05. <sup>6</sup>

---

<sup>6</sup> See Summary on Page 3 for response requirements

<p>should allocate a designated percentage of the General Fund each year for additional payments toward its unfunded liabilities to CalPERS as well as deferred maintenance costs for City real property assets.</p>		
<p>R10: Beginning with the fiscal year commencing on July 1, 2020, as the City hires additional full-time personnel, such as new full-time firefighters, the City should recalculate the effect of such hires on unfunded pension liabilities to CalPERS and include those new liabilities in the allocated budget.</p>	<p>City of St. Helena</p>	<p>The City's response does not comply with Penal Code §933.05.<sup>7</sup></p>
<p>R11: No later than December 31, 2019, the City should conduct an analysis of its legal expenditures and associated results in order to determine whether any changes need to be made to the City's current legal support and strategy. The results of this analysis and any accompanying recommendations should be shared with the public.</p>	<p>City of St. Helena</p>	<p>The City agrees</p>
<p>R12: The City should develop and enhance its system of community-based communications to highlight important financial issues affecting City residents. The communications could be published in the weekly St. Helena Star or by e-mail or both. Re-advertise the City email communications system and how City residents can access these communications on a regular basis.</p>	<p>City of St. Helena</p>	<p>The City's response does not comply with Penal Code §933.05.<sup>7</sup></p>

---

<sup>7</sup> See Summary on Page 3 for response requirements

**DEPARTMENT OF CORRECTIONS (NCDC) ANNUAL REVIEW:  
UNDER A MICROSCOPE: NAPA COUNTY JAIL HEALTHCARE SERVICE**

<b>The 2018-2019 Napa County Grand Jury Found;</b>	<b>Required/Invited Respondent</b>	<b>Responses</b> For full responses go to <a href="http://www.napacourt.com/grand-jury/reports-response%202018-2019">http://www.napacourt.com/grand-jury/reports-response%202018-2019</a>
F1. The mental health counselors and the correctional officers do not participate on a regular basis in joint training workshops focused on recognizing the symptoms of mental illness.	Director of Corrections	The respondent disagrees partially with the finding.
F2. The Napa County Jail lacks sufficient inpatient psychiatric health treatment facilities to provide inmates access to comprehensive mental health therapeutic treatment services.	Board of Supervisors	The respondent disagrees partially with the finding.
F3. The NCJ medical staff provides inmates with reasonable access to medical and psychiatric health care services under Title 15 of the California Code of Regulations, Minimum Standards for Adult Correctional Facilities.	Board of Supervisors	The respondent agrees with the finding.
F4. A new Napa County jail with a dedicated 28-bed medical unit is in the design phase of construction with a completion date of March 2022.	Board of Supervisors	The respondent agrees with the finding.

<b>The 2018-2019 Napa County Grand Jury Recommended;</b>	<b>Required/Invited Respondent</b>	<b>Responses</b> For full responses go to <a href="http://www.napacourt.com/grand-jury/reports-response%202018-2019">http://www.napacourt.com/grand-jury/reports-response%202018-2019</a>
R1: The Grand Jury recommends that the Director of the Department of Corrections establish, by December 2019, a joint training program for mental health counselors and correctional officers for the purpose of offering continuing education on topics including the awareness and	Director of Corrections	This recommendation has been implemented.

sensitivity to the symptoms of mental illness.		
R2. The Grand Jury recommends that the Board of Supervisors re-evaluate, by December 2019, the Carey Group's 2007 Adult Correctional System Master Plan's recommendation to include a 32- bed section in the new jail dedicated solely to comprehensive mental health therapeutic services.	Board of Supervisors (BOS)	This recommendation will not be implemented.

<b>The 2018-2019 Napa County Grand Jury Commendations;</b>	<b>Required/Invited Respondent</b>	<b>Responses For full responses go to <a href="http://www.napacourt.com/grand-jury/reports-response%202018-2019">http://www.napacourt.com/grand-jury/reports-response%202018-2019</a></b>
C1. The Grand Jury commends the management team of the Department of Corrections for their leadership and professionalism in their efforts to install high expectations from all of the correctional staff.	Board of Supervisors (BOS)	The Board of Supervisors appreciates the Grand Jury commending staff and vendors during the past year
C2. The Grand Jury commends the mental health counselors and the primary medical staff from Well path for their dedication and commitment in providing the inmates at Napa County Jail access to urgent and routine medical and psychiatric health care services.	N/A	N/A

### Where's My Costco? - A History of the Napa Pipe Project

<b>The 2018-2019 Napa County Grand Jury Found</b>	<b>Required/Invited Respondent</b>	<b>Responses For full responses go to: <a href="http://www.napacourt.com/grand-jury/reports-response%202018-2019">http://www.napacourt.com/grand-jury/reports-response%202018-2019</a></b>

F1. While the Napa County Board of Supervisors and County Staff generally have been in favor of the Napa Pipe Development since 2007, due to its housing and affordable housing components, the Napa City Council and Staff were decidedly against it for many years from the time of its original purpose.	City Response	The City of Napa partially disagrees with this finding.
	Board of Supervisors (BOS)	The BOS disagrees partially with the finding as it pertains to the County.
F2. The opposition to the project by many in the City leadership caused much political infighting and led to years of delays in the development of the property.	City Response	The City of Napa disagrees with this finding.
	Board of Supervisors	The BOS disagrees wholly with the finding as it pertains to the County.
F3. The City and County finally decided to work together on the project only after Costco had been introduced to the plan and a direct mail campaign showed how much County residents wanted the retailer.	City Response	The City of Napa disagrees with this finding.
	Board of Supervisors	The BOS disagrees partially with the finding as it pertains to the County.
F4. The Developer has made frequent and substantial changes to the project plan and phasing, which have caused numerous delays in obtaining City and County approvals.	City Response	The City of Napa agrees with this finding.
	Board of Supervisors	The BOS agrees with the finding as it pertains to the County.
F5. The Developer sought changes to the Napa Pipe Plan that in 2018, led the City and County to work quickly with the state legislature to seek legislation that would allow for Napa County to report RHNA credit in the current cycle for units built at Napa Pipe in areas already annexed to the City of Napa.	City Response	The City of Napa agrees with this finding.
	Board of Supervisors	The BOS agrees with the finding as it pertains to the County.
F6. The cost of construction has increased substantially since the Napa Pipe Development was initially proposed, which further complicates the financial ramifications of a project this size.	City Response	The City of Napa agrees with this finding.
	Board of Supervisors	The BOS agrees with this finding.

F7. The current situation requiring the Developer to work with two separate governmental entities for plan and design approval, as well as procurement of building permits, adds cost and complexity that have resulted in continued project delays.	City Response	The City of Napa partially disagrees with this finding.
	Board of Supervisors	The BOS agrees with this finding.
F8. Even if the City and County do everything in their power to enable the Developer to begin construction, it will still be up to the Developer to actually make the decision to do so.	City Response	The City of Napa agrees with this finding.
	Board of Supervisors	The BOS agrees with this finding.

<b>The 2018-2019 Napa County Grand Jury Recommendations</b>	<b>Required/Invited Respondent</b>	<b>Responses (for full responses go to: <a href="http://www.napacourt.com/grand-jury/reports-response%202018-2019">http://www.napacourt.com/grand-jury/reports-response%202018-2019</a>)</b>
R1. Assuming SB 235 is signed into law in the summer of 2019, the City and County of Napa should move as quickly as possible to annex the balance of the Napa Pipe Property into the City so that the Developer only has to deal with one entity for permitting, zoning, design, and other related building issues. This annexation should take place no later than January 1, 2020.	City Response	This recommendation has not yet been implemented.
	Board of Supervisors	This recommendation has not yet been implemented.

## **Department of Corrections Napa County Jail**

Section 919 of the California Penal Code requires the Grand Jury to “inquire into the condition and management of the public prisons within the County.” The 2019-2020 Napa County Grand Jury conducted a physical inspection of the Napa County Jail. The Jury observed that the Jail correctional personnel performed their duties in a professional manner and the physical condition of the facility appeared to be satisfactory. In addition to the formal inspection, all members of the Jury had the opportunity to tour the jail facility. The administrative staff and Correctional Officers were very helpful. Their time and effort are appreciated. The Jury did not issue a final report on the Jail.