

This document is an extract of a larger publication.

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Consolidated Final Report
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The 2022-2023 Napa County Grand Jury



Back Row: L/R - Dan Woodard, Craig Priess, James Erhman, Jay Kouba, Joe George (Rec. Sec.) Kriesten Polakiewicz, Gisela Campagne, susan Schwitalla, Gary Woodruff, Vic Connell, Rick Skinner, Eric Stiefeling(Sgt. At Arms)
Front Row: L/R - Kathy Templeton, Linda Pidgeon, Mike Wallace (Foreperson), Tammy Smith (Pro Tem), Hon. Scott R.L.Young (Judicial Liason), Lisa M. Smith, Robert Haines, Jackie Dickson, Marc Frankenstein

2022 - 2023 Napa County Civil Grand Jury - Membership Roster

1. Gisela Compagne.....Yountville
2. Vic Connell.....Napa
3. Jackie Dickson.....Napa
4. James Ehrman.....Napa
5. Marc Frankenstein.....Napa
6. Joe George.....Napa
7. Robert Haines.....Napa
8. Jay Kouba.....St. Helena
9. Linda Pidgeon.....Napa
10. Kristen Polakiewicz.....Napa
11. Craig Priess.....Napa
12. Susan SchwitallaNapa
13. Rick Skinner.....Napa
14. Tammy Smith (Pro Tem).....Napa
15. Kathy Templeton.....Napa
16. Mike Wallace (Foreperson).....Napa
17. Gary Woodruff.....Napa
18. Dan Woodard.....Napa

Acknowledgements

The 2022-2023 Napa County Civil Grand Jury gratefully acknowledges the following individuals for their assistance and support on behalf of the work generated by this year's grand jury.

- Hon. R. L. Scott Young, Judicial Liaison, Napa County Superior Court
- Silva Darbinian, Chief Deputy County Counsel, County of Napa
- Bob Fleshman, Chief Executive Officer, Napa County Superior Court
- Heidi van De Ryt, Court Admin. Assist. Napa County Superior Court
- Joanne Stover, Court Admin. Assist. Napa County Superior Court
- The Gasser Foundation, Joe Peatman, President
- Mitch Wippern, Chief Operations Officer, Gasser Foundation
- Tracy Schultz, Auditor-Controller, County of Napa
- Napa Chapter, California Grand Jury Association
- Dan Evans, Editor, Napa Valley Register
- Daniel Sanchez, Senior Management Analyst, County of Napa
- Jon Gjestvang, Chief Information Officer, County of Napa
- Alice Danner, Staff Services Analyst, County Of Napa
- Loy Donleavy, Accounting Specialist, County of Napa
- Laura Gregory, photographer, Grand Jury group photo
- Bob McClenahan, photographer, Consolidated cover page



A Tradition of Stewardship
A Commitment to Service

June 30, 2023

Foreperson's message to all Napa County residents:

As Foreperson of the 2022-2023 Napa County Civil Grand Jury and on behalf of all of the members of this year's Grand Jury, it is my pleasure to present our Consolidated Report for the public record. This year's Consolidated Report contains six investigative Final Reports. The annual Response Report is also included in the Consolidated Report.

The Response Report is a summary and analysis of more than 180 responses from different City and County agencies who were impacted by the findings and recommendations brought forth by the 2021-2022 Napa County Civil Grand Jury. This report represents the actions taken by the leaders of our local City and County governments to last year's grand jury's findings and recommendations.

This year's six Final Reports reflect the jury's dedication and commitment to provide the residents of Napa County with an unbiased and impartial examination of the management and operations of City and County government. The Final Reports ranged from an examination of the mental health services in Napa County to the future utilization of the Napa County Volunteer Firefighters.

The 2022-2023 Napa County Civil Grand Jury wishes to thank all of the public service agencies who participated in the interviews leading up to our findings and recommendations. We also reviewed and acknowledged this year six citizen complaints as part of the investigative process. One of those citizen complaints became a full investigation.

Grand Jury reports are typically issued to the elected and appointed leaders of our local government. However, the reports themselves are written for the residents of Napa County to serve as a voice of community oversight of our local government.

We urge you to read the reports with an open mind and judge the merits of the reports on their objectivity. All of the members of this year's Grand Jury appreciate the educational experience that comes with being a member of the Grand Jury and acknowledge the privilege and honor to serve the residents of Napa County.

Regards,

Mike Wallace, Foreperson
2022-2023 Napa County Civil Grand Jury



A Tradition of Stewardship
A Commitment to Service

June 30, 2023

Hon. Scott R. L. Young, Judicial Liaison, Napa County Superior Court

Your Honor:

The members of the 2022-2023 Napa County Civil Grand Jury proudly present to you the annual Consolidated Report that contains six investigative Final Reports and one Final Response Report. Your support and engagement in this year's grand jury's investigative process is testimony to your commitment to make our local government more transparent, more accountable, and more efficient.

Much of the success of this year's grand jury came from a cross section of public employees from the Napa County Superior Court including Robert Fleshman, the court's Chief Executive Officer, and the Napa County Financial Services Department. The Jury is deeply grateful for the timely assistance of these individuals.

Special recognition goes to Napa County's Chief Deputy County Counsel, Silva Darbinian, who provided legal guidance throughout the course of our term and who reviewed and approved all of the final reports. We also wish to acknowledge the generosity of the Gasser Foundation for the use of their Board Room for our weekly plenary meetings.

The 2022-2023 Grand Jury's year of public service came with many challenges as we transitioned from all remote meetings in the prior two years, to all in-person meetings for plenary sessions, committee meetings, and interviews. We upgraded the use of informational technology for use in all of our investigations, and we completed a major revision of our Policies and Procedures Manual.

None of this would have been possible if not for the dedication and commitment of the members of this year's Grand Jury. They acknowledged the challenges and stepped up with an urgency to provide the residents of Napa County with six substantive investigative final reports that hopefully will have a positive effect on how our local government operates.

Regards,

Mike Wallace, Foreperson
2022-2023 Napa County Civil Grand Jury v

Overview of the Napa County Civil Grand Jury

The Napa County Civil Grand Jury is a judicial body of the Napa County Superior Court composed of nineteen citizens selected randomly each year from a pool of qualified applicants. Once impaneled, the Grand Jury acts as an “arm of the court,” as authorized by the State Constitution and serves in an oversight capacity for the people of the community. Judicial authority for the Grand Jury comes from the California Penal Code, but the Grand Jury is funded by the County and receives legal standing from the County Counsel.

The present Grand Jury system evolved from earlier ecclesiastical courts beginning in 1164 when Henry II of England impaneled the first 16-man Grand Jury to remove criminal indictments from the hands of the church. In 1635, the first American Grand Jury was impaneled in the Massachusetts Bay Colony and by 1883 Grand Juries were present in all of the colonies.

Only a few states now have some form of the Grand Jury system with any type of oversight function. California, where Grand Juries have existed since the original constitution in 1850, has the last remaining comprehensive Grand Jury system in the United States. All 58 counties in California have sitting Grand Juries. Larger counties can have up to 23 members, while the smaller counties may have only 14 members. The term of service for a member of the Grand Jury is 12 months, beginning in July of each year.

Grand Jury Functions

By law, a Grand Jury has three distinct functions: indictment, accusation, and investigation. Indictment is the act of bringing criminal charges against a person. Accusation is the act of bringing criminal charges against an official of government or a public agency that may result in removal from office. Investigation is the act of examining the operational and management areas of local City and County government agencies. Investigation serves as the oversight function and is by far the most frequently exercised function of a Civil Grand Jury.

When acting in an oversight capacity, the Grand Jury investigates areas of government to determine if it can function more efficiently, operate with complete transparency, and be held accountable for the use of public funds. In general, the Grand Jury examines the way the government conducts its business, particularly with respect to any malfeasance, misappropriation or mismanagement. The Grand Jury also reviews citizen complaints for possible investigations, but is not required to take any action relative to the complaint.

The Grand Jury is mandated each year pursuant to the California Penal Code to inquire into the conditions and management of the local detention facilities. In Napa County, this includes the

Napa County Jail and the Napa County Juvenile Hall. The Grand Jury is also mandated to investigate at least one other county agency on a yearly basis.

The Grand Jury has other jurisdictions as well. It may investigate elected and appointed officials and any government body connected to the county, including school districts, housing authority, transportation authority, sanitation districts, and redevelopment agencies. Agencies under the direction of the State of California and privately operated companies cannot be investigated by the Grand Jury. The Napa County Superior Court is a state agency and therefore cannot be investigated by the Grand Jury.

Selection and Qualification for Civil Grand Jurors

Grand Jurors must be citizens of the United States, 18 years of age or older, and a resident of the county for one year prior to the year of service. Elected officials are not eligible for grand jury service, nor is anyone who has been convicted of a felony offense. If you are currently serving on a jury in the Municipal or Superior Court system, you are not eligible for grand jury service. Applicants for the grand jury must have sufficient command of the English language and be absent from any personal bias against any public official or public agency. Knowledge and application of computer skills is highly desirable, but not required.

Level of Commitment to the Grand Jury

Members of a sitting Grand Jury can expect to spend 15 to 20 hours a week engaged in the business of the Grand Jury. Jurors attend regular full panel meetings both in person and remotely, as well as attend regular committee meetings as part of their investigative work. Jurors take part in numerous interviews with public officials and may tour a facility impacted by a particular investigation.

Jurors are paid a per diem fee of \$15 for each panel meeting including mileage to and from the jurors' home. Jurors are not paid for committee meetings or interview sessions, but may or may not claim their mileage to these meetings.

Grand Jury service depends on regular attendance and participation. Investigations can take up to six months to complete, followed by 2 or 3 months of writing the report before it is approved by the Presiding Judge and then released to the public agency under investigation. The Grand Jury operates as one body - all 19 members working towards one common goal. Collegiality and reaching consensus on substantive issues play a large part in the success of a sitting Grand Jury.

In Recognition.....

The 2022-2023 Napa County Civil Grand Jury wishes to acknowledge the generosity of The Peter and Vernice Gasser Foundation for the use of their executive Board Room for all weekly Grand Jury panel meetings. The Napa County Civil Grand Jury has used the executive Board Room at the Gasser Foundation building on Soscol Avenue for many years without any cost to the County. The Gasser's unconditional generosity speaks highly of their commitment to community service.



Photo courtesy of Grand Jury Member Joe George

NAPA COUNTY GRAND JURY

2022-2023



Photo - Nick Otto, Napa Valley Register

FINAL REPORT

April 26, 2023

NAPA COUNTY VOLUNTEER FIREFIGHTERS

Lack Of Volunteers And Their Utilization

Are Burning Issues

Napa County Volunteer Firefighters Lack of Volunteers and their Utilization are Burning Issues

SUMMARY

Fire protective services in Napa County's unincorporated rural areas are the responsibility of the Napa County Fire Department (NCFD). Napa County contracts with Cal Fire to provide these services. Cal Fire is a state-operated fire protective agency. NCFD has four full-time, paid fire stations and nine volunteer fire stations. The NCFD is a combined and cooperative fire protection service in Napa County between Cal Fire, the NCFD, and the volunteers.

The volunteers are a support component of the NCFD and come under the direction of the NCFD. In 2001 there were more than 200 volunteer firefighters in Napa County. Today that number has shrunk to less than 100 volunteers that are able to respond to incidents according to the Napa County Fire Department, 2022 Volunteer Summary Report.

The 2022-2023 Napa County Grand Jury (Jury) undertook a comprehensive investigation of the volunteer firefighter program to determine the reasons for the loss of recruits over the last 20 years. The Jury found that a significant reason for the decline in volunteer recruits is due to the changing demographics of the population living in rural areas.

According to the volunteer fire chiefs, Napa's rural communities no longer retain the younger generation. Furthermore, some of the new homeowners in rural areas use their property as a second home and only occupy it for part of the year.

The Jury found several other factors impacting the loss of volunteers. These factors include the pay the volunteers receive and the amount of training a volunteer must have to respond to emergency calls. Another factor was morale problems caused by communication issues between the volunteers, the Napa County Fire Department paid staff, and the Napa County Board of Supervisors (BOS).

The Jury conducted more than 20 interviews with Cal Fire personnel, NCFD staff, and the volunteers. The Jury found that the loss of recruits has had an adverse effect on the ability of the volunteers to respond to emergencies at the majority of the volunteer stations.

The Jury examined prior Grand Jury reports dating back to 2001-2002 and found that many of the recommendations for improvement of the volunteer program were considered unwarranted and unnecessary. This Jury's main focus was on the operations of the volunteer program.

The Jury's findings reflect more than just the loss of recruits. The findings also reflect concerns about volunteer compensation, communication between the NCFD and the volunteers and morale issues among the volunteers. The Jury's recommendations are directed at the NCFD and the BOS to re-evaluate the volunteer program in Napa County.

One of the recommendations from this investigation focuses on the Soda Canyon Volunteer Fire Station on Soda Canyon Road. The Jury found this volunteer fire station to be underutilized based on low membership and poor response rates. The Jury recommends that the BOS relocate

the resources and consolidate the volunteer membership of this station with the existing Napa County Fire Department's paid Station #25 on Monticello Road.

The Jury also recommends a change in how NCFD utilizes volunteers. This recommendation calls for the BOS and the NCFD to examine if the volunteer firefighters should move away from its operational model as backup support for the NCFD for all emergencies, of which 80% are for medical assistance. Their new operational model would classify them as an all-volunteer reserve firefighter unit whose primary mission would be to respond in a surge capacity to suppress large wildland fires that extend over a period of time.

ACRONYMS

BOS – Napa County Board of Supervisor

Cal Fire – California Department of Forestry

FLSA – Fair Labor Standards Act

FSAC – Fire Services Advisory Committee`

IAR - IAmResponding

LRA – Local Responsibility Area

NCDFC – Napa County Deputy Fire Chief

NCFC – Napa County Fire Chief

NCFD – Napa County Fire Department

NCFE – Napa Community Firewise Foundation

PPC – Paid Per Call

RPE – Respiratory Protective Equipment

SRA – State Responsibility Areas

VMQ – Volunteer Medical Questionnaire

BACKGROUND

Napa County Wildfires - Past and Present and Future

Napa County has a long history of wildfires dating back to the Great Fire in 1870, when two fires in St. Helena and one fire in Calistoga merged and swept over the Mayacamas Mountains and into Sonoma County.¹

Over time, numerous other wildfires have burned thousands of acres of wildland and destroyed thousands of structures in Napa County. The most notable of these fires include: the 1964 Hanly

¹ Eberling, Barry. 2022, June 5. *Napa County has a History of Fire, The Napa Valley Register.*

Fire that burned from Calistoga to Santa Rosa; the 1981 Atlas Peak Fire that burned 34,000 acres and destroyed 56 homes east of the City of Napa; and the more recent 2020 Glass Fire that destroyed 1022 structures, including homes, wineries, and resorts.

These destructive wildfires are a harsh reminder to all of the residents in Napa County that it's critical for the County to have a strong and responsive fire protection service in place well before the next major fire hits Napa County. This fire protection service includes both fire mitigation programs and fire suppression procedures.

The Napa County Fire Department (NCFD), which includes the volunteer firefighters, provides the fire protection service for Napa County. The Jury found that the NCFD is a well organized and professional fire protection service, and is well prepared for the next major wildland fire in Napa County.

Volunteer firefighters have a long and dedicated history of providing wildland fire protection and emergency services in Napa County.² Their local knowledge and experience are a valuable asset in fire protection in rural areas. Volunteer firefighters traditionally draw recruits from the community they serve.

The available pool of people to serve as volunteer firefighters in past years was stable, as the rural neighborhoods rallied around a need to serve their community. Volunteers were then, and are now, considered a valuable component of the Napa County Fire Department (NCFD) in a supporting role of fire protection. But according to the volunteer fire chiefs who live in these communities, the available pool of residents today who are interested in becoming volunteer firefighters is on the decline.

In recent years the volunteer firefighter program in Napa County has seen a significant decrease in the number of recruits. The decrease in recruits is partly due to the changing demographics in rural areas of Napa County.³ Communities no longer have the available pool of people who are connected to the neighborhoods that encouraged residents to become a volunteer firefighter.

The 2007-2008 Napa County Grand Jury's Final Report stated that there were more than 200 volunteer firefighters in Napa County in 2002.⁴ Today, that number has shrunk to approximately 165, but only 98 who demonstrate any active participation.⁵ An active volunteer firefighter is defined as someone who is fully certified with their Respiratory Protective Equipment (RPE) fit testing and up to date with their annual Volunteer Medical Questionnaire (VMQ).

The responsibility for fire protection in Napa County prior to the formation of the NCFD in 1973 largely fell in the hands of 16 independent volunteer firefighter departments. After the NCFD formed, the 16 volunteer firefighter companies consolidated into the nine volunteer companies that exist today.⁶

Napa County entered into a contract for fire service with Cal Fire in 1973. Cal Fire is a state-operated fire protective service. Under this contract, the fire service provider in Napa

² Napa County Historical Society. The History of the Napa County Fire Department, circa 1918.

³ Napa County Fire Department, Volunteer Summary. December 2022.

⁴ 2007-2008 Napa County Grand Jury Final Report, Napa County Fire Department, June 2008.

⁵ Napa County Fire Department, Volunteer Summary. December 2022.

⁶ Napa County Historical Society. The History of the Napa County Fire Department.

County is designated as the NCFD. Cal Fire provides the administrative support and coordination for four full-time paid fire stations in Napa County. Cal Fire also provides administrative support and coordination to all of the nine volunteer firefighters companies.

The 2022-2023 Jury opened an investigation to examine some of the factors that may have contributed to a loss of volunteers over the past 20 years. The Jury wishes to determine the overall impact on the current volunteer program due to the loss of recruits.

The Jury further examined if an updated volunteer firefighter operational model is needed. The updated model would focus less on the day-to-day emergency calls and more on serving as a highly-trained reserve firefighting force. Its primary mission would be working in support of the NCFD in a surge capacity when faced with wildland fires that may take weeks to contain.

METHODOLOGY

Tours Conducted

- Emergency Command Center in St. Helena
- Cal Fire headquarters in St. Helena
- All nine Volunteer Firefighter Company stations

Interviews Conducted

- Cal Fire administrative staff
- Cal Fire Training staff
- Napa County Fire Department staff
- Napa County Firefighters - paid staff
- Volunteer Firefighters - rank and file
- Napa County Volunteer Fire Chiefs
- Fire Services Advisory Committee members
- Cal Fire Staff Services - Sonoma Lake Napa Unit
- Some Napa County Board of Supervisors
- Napa County Auditor-Controller staff

Documents Reviewed

- Cal Fire/NCFD 2022 Fiscal year budget
- Napa County Volunteer Firefighters 2022 Fiscal year budget
- Grand Jury Reports - 2001-2002; 2007-2008; 2011-2012
- Napa County Fire Department Policy Manual
- Napa County Fire Department Volunteer Summary Report, 2022

- Napa County Fire Stations Directory
- Cal Fire Assistance by Hire Policy Manual
- Volunteer Station's Incident reports
- Napa County Historical Society, Napa County Fire Department Records

Websites Reviewed

- Napa County Superior Court - www.napacourts.ca.gov
- Napa County Administrative Office - www.countyofnapa.org
- Napa County Firewise Foundation - www.napafirewise.org
- Department of Forestry (Cal Fire) Administrative Guide - www.fire.ca.gov
- Occupational Safety and Health Administration - www.osha.gov

Meetings Attended

- Fire Services Advisory Committee, February 8, 2023

DISCUSSION

Fire Protective Services in Napa County

The County of Napa does not have its own fire department. Rather, the County contracts its fire protective services with Cal Fire, a state-operated fire service agency. Under the conditions of the contract with Cal Fire, the fire service provider in Napa County is designated as the Napa County

Fire Department. Cal Fire is part of the California Division of Forestry. Cal Fire operates in 36 of the 58 counties in California.

The NCFD is a combined and cooperative fire department with four fully-staffed, year round paid fire stations, three seasonal staffed paid fire stations, and nine unstaffed volunteer firefighter companies. The Napa County Fire Chief is a Cal Fire employee, who delegates oversight of the full-time paid fire stations and all of the volunteer firefighter stations to the Napa County Deputy Fire Chief. A map of the paid fire stations and the volunteer fire stations in Napa County is located in the Appendix.

Volunteer Firefighter Companies

The nine volunteer firefighter companies in Napa County are part of the NCFD, but they operate independently from each other. Each volunteer firefighter company is administered by an independent fire chief who is selected by the members assigned to that particular volunteer firefighter company.

The criteria for becoming a volunteer fire chief does not always follow industry standards. The industry standards are state-mandated and regulated by OSHA guidelines. The standards include certification in specialized training programs and demonstrated leadership experience in

command roles.⁷ The Jury found that the inconsistency in compliance with the industry standards has led to conflicts between some of the volunteer fire chiefs and the NCFD administrative staff.

The volunteer firefighter companies are governed by their own bylaws. They also conduct their own recruitment programs and multi-station training sessions in cooperation with a training officer from Cal Fire. The volunteer fire chiefs are responsible for keeping the training records of all volunteers assigned to their volunteer fire station, including up-to-date safety certifications and medical clearance.⁸

A delay in the processing of training records may result in the NCFD placing the volunteer on a non-compliance status. Volunteers who are classified as being non-compliant are considered part of the support staff and not permitted to respond to emergency calls.

Volunteer Firefighter Recruitment

The loss of new recruits from the volunteer program is a common problem among all of the volunteer firefighter companies. Every volunteer fire chief interviewed by the Jury expressed their concerns about the ability to maintain a strong, active volunteer firefighter program in the future.

The volunteer chiefs all agreed that more effective ways should be developed to attract new recruits. This problem is not restricted to Napa County alone, as volunteer and paid fire departments around the country are struggling to recruit and retain new firefighters.⁹ Napa County does not have a centralized, dedicated web page for attracting new volunteer firefighters that fits the needs of the different volunteer stations.

Applications from new recruits are submitted to the County for initial screening. The County will disperse the applications to the individual volunteer stations. Overall, each volunteer firefighter company is responsible for attracting the majority of their volunteers.

A variety of recruitment strategies are currently in place among all of the volunteer firefighter companies. Word of mouth through family, friends or local community members is the most common method to attract volunteers. Other recruitment methods include advertising for volunteer positions through social media or through special community events like an open house at the fire station.

Many of the volunteers the Jury interviewed expressed a need for the County to expand the Junior Firefighter Explorer program to attract new recruits. The Junior Firefighter Explorer program is a branch of the Boy Scouts of America made up of boys and girls who are interested in the fire service. They work in partnership with the Napa City Firefighters Association. The program's goal is to encourage young boys and girls to choose a path to becoming a volunteer firefighter or a full-time, paid firefighter.

⁷ Occupational Safety and Health Administration, Training Requirements in OSHA Standards, 2022.

⁸ Napa County Fire Department, Policy Manual. Volunteer Stipend program, 2022.

⁹ Santana, Rebecca. 2023, January 15. Fires are getting deadlier as firefighter recruitment wanes. Napa Valley Register.

The 2022-2023 Napa County Fire Service budget authorizes a total of 250 volunteers, but the current roster of all Napa County volunteers lists approximately 165 members. Furthermore, only 98 volunteers of the current membership are considered active volunteers.¹⁰

The ability of the volunteer fire stations to maintain a reasonable number of volunteers to respond to calls depends partly on the availability of the volunteers at the time of the incident. It also depends on the volunteer's compliance status with State-mandated health and safety regulations.

If a volunteer is not up to date with their yearly Volunteer Medical Questionnaire (VMQ) or has not completed their Respiratory Protective Equipment (RPE) training, they are considered out of compliance. Once the volunteer has cleared his compliance status, they are able to participate in hands-on training sessions and respond to emergency calls.

The Jury found that the percentage of volunteers out of compliance varied from station to station at any given time. The volunteer fire chiefs told the Jury they monitor the compliance status of their volunteers on a regular basis, but admitted that their station's ability to respond to all emergency calls is compromised when too many volunteers are out of compliance.

Response Rate Among Active Volunteers for Emergencies

The response rate of the active 98 volunteers to all emergencies varies from station to station. The Jury discovered by examining the volunteer station's incident reports that some of the volunteer stations report little response to emergencies, while other stations report a higher response rate.

In areas such as Angwin and Deer Park, the overall volunteer response rate is high due to a higher population density of staff and students from the college located in Angwin. The volunteer response rate in the Carneros region is generally high due to an effective community outreach program.

One volunteer firefighter told the Jury that a possible solution to delayed response times from volunteers, especially on high fire risk days (Red Flag Days), is to provide temporary housing for the volunteers at one of the paid stations or utilize some of the empty dormitory rooms at the Pacific College in Angwin. Such housing would allow a larger pool of firefighters to respond quicker.

Soda Canyon Volunteer Fire Station 13

The volunteer fire station in the Soda Canyon area of Napa County has a low response rate. According to data from the NCFD, in 2020, the Soda Canyon volunteer fire company received 818 calls, but only responded to 109 of those calls.¹¹

The Jury discovered that the Soda Canyon Volunteer Fire Station has two pieces of fire apparatus equipment to respond to emergency calls. They have a Type 3 fire engine for use in rural areas for structure fires. They also have a combination rescue/water tender piece of fire apparatus for medical calls and extra water supply.

The Type 3 fire engine is located at the Napa County Fire Department's paid Station 25 on Monticello Road, approximately five miles from the volunteer station. The Jury learned that the

¹⁰ Napa County Fire Department, Volunteer Summary Report, December, 2022.

¹¹ Napa County Fire Department, Voluntary Summary Report, December, 2022.

Type 3 engine could not be housed at the volunteer station because it is too large for the older volunteer building. The rescue/water tender piece of equipment, however, is located at the Soda Canyon Volunteer Fire Station.

Under this configuration, volunteers have to go to one of two different fire stations when responding to an emergency. The Jury recommends that the Soda Canyon Volunteer Fire Station retain its volunteer membership but keep both pieces of its fire apparatus equipment, along with the volunteer's personal protective equipment (PPE), at the paid Station 25. With this relocation of equipment, the volunteers could also train and certify with the paid staff.

Recent Modernization of Volunteer Availability Status

Unlike the full-time, paid firefighters in the NCFD, the volunteer firefighter companies are not staffed 24/7. Therefore, they are subject to limitations when responding to an emergency call. Some of the volunteers have full-time jobs outside of Napa County.

The NCFD reported that the overall response rate of the active volunteers in all of the nine volunteer firefighter companies is approximately 50% when responding to routine emergency calls. When asked by the Jury, the volunteer fire chiefs could not fully explain the low response rate. However, they listed some possible reasons other than availability. These reasons included the volunteer's availability and location at the time of the incident and the training compliance status of the volunteers.

The volunteer fire chiefs said that a better system throughout all of the volunteer firefighter companies is needed to track the availability of resources to all emergency calls. The resources include personnel and equipment. The current system for tracking the availability of volunteers is not centralized. Each volunteer fire station tracks its own resources, which limits the use of agreements between stations to cover for each other.

The Carneros Volunteer Firefighter Company Fire Chief and the NCFD have worked cooperatively to secure a "real-time" volunteer availability system that is expected to be fully operational prior to the 2023 wildland fire season. The new system will provide detailed "station level" information including who is available to respond, who is responding, the incident information, and what apparatus is in or out of service.

The new system is called IAmResponding (IAR) and is used in many other California volunteer firefighter programs.¹² The system was funded by a donation from the Napa Valley Vintners Association. Until the deployment of IAR, each volunteer company has limited knowledge of which resources are available and responding to incidents.

The overall goal of the IAR system is to increase the ability for volunteer companies to respond to the closest station/resource as well as reduce gaps in forecasted staffing of vital apparatus such as water tenders.

Morale Issues with Volunteer Firefighters

The Jury found that morale among the volunteer firefighters is generally good. However, many of them feel morale could be better with more public recognition and appreciation of the volunteers

¹² www.iamresponding.com

from the BOS and the NCFD. Some of the volunteers mentioned the lack of inclusion of the volunteers during the official opening of the new Carneros Volunteer Fire Station in January 2023 as an example of poor recognition.

The Jury did not find a morale issue among the majority of the volunteer fire chiefs, as they are dedicated and committed to their mission. The volunteer chiefs, however, expressed frustration with the lack of clear, ongoing communication between the NCFD and the volunteers. Many of the volunteer fire chiefs admitted that they treasure their independence, which conflicts with the model of the NCFD as being a combined and cooperative fire department.

The Jury found that most of the volunteers respect the role of the NCFD. The volunteers however wish that the NCFD would give them more recognition for the role they play in fire protection.

The volunteer fire chiefs told the Jury that an increase in the monthly stipend rate may improve the overall morale issue. The chiefs felt that a higher compensation rate may attract more recruits and retain the current membership for a longer period of time. The volunteers also suggested that the yearly Firefighter Appreciation Day be reinstated. The volunteers felt that this event highlighted the efforts of the volunteers and provided a chance to socialize with the career firefighters. The volunteer chiefs suggested this event should be promoted by the County, featuring a dinner and recognition awards.

Volunteer Firefighter Compensation in Napa County

Volunteer firefighters do not have employment contracts with Napa County because under California law they are considered “volunteers” and not “employees.” As a result, volunteer firefighters do not have the same rights as public employees, such as hourly or salaried compensation.¹³

This limitation falls short of establishing a complete ban on payments, however, as the County can pay the volunteer firefighters a monthly stipend or on a paid per call basis (PPC). Volunteers are not eligible for medical or pension benefits. The County does pay their Workers’ Compensation insurance.

Monthly Stipend System

Napa County volunteer firefighters are paid a monthly stipend based on a three-tiered compensation package: their rank structure, their attendance at two training sessions per month, and their compliance with safety standards. The rank structure ranges from a volunteer fire chief to a basic firefighter recruit. The training component verifies their participation in the monthly training sessions. The compliance requirement ensures that all volunteers are up-to-date with their safety standards certifications. The stipend model of payment has been in place for more than 20 years.

The County of Napa dictates the volunteer compensation structure and the County has maintained the current stipend rate since 2018. The monthly stipend system is intended as a reimbursement of expenses to cover the cost of travel and meals on the days of training.

The Jury found that the reporting process for recording a volunteer’s training and certification status is inconsistent among the nine volunteer fire companies. Some of the volunteer companies

¹³ www.masc.sc/Pages/newsroom/uptown/February-2019/Know-the-Compensation-Rules-Volunteers

keep up-to-date records, while others struggle to keep their minimum. Incomplete records and delayed reporting often lead to some volunteers having to wait up to a year for payment. Volunteer stipends are charged to the Napa County fire service budget. Payments are made quarterly by the Napa County Auditor-Controller office.

All volunteer firefighters in Napa County must be in full compliance with their annual Volunteer Medical Questionnaire (VMQ) and the Respiratory Protection Equipment (RPE). Volunteers cannot participate in hands-on drills or respond to an emergency call without full VMQ and RPE compliance.

The volunteers who are fully certified and up to date with their training requirements are paid \$125 per month. These volunteers are paid the monthly stipend whether they respond to any emergency calls at all, as long as they attend two training sessions each month. Entry level recruit volunteers earn \$75 per month. Volunteer fire chiefs who are up to date with certifications and training can earn up to \$250 per month.

Paid Per Call (PPC) System

The paid per call system has been debated among the volunteers and the County for more than twenty years without any resolution.¹⁴ It's a system designed to establish more equity in rewarding volunteers who respond to emergencies on a regular basis. According to the volunteer fire chiefs, if volunteers were paid on a PPC system, it could serve as a strong incentive for recruitment and would improve the retention rate of the volunteers.

One of the drawbacks to a paid per call payment system is that it conflicts with the issue of whether a volunteer is considered an "employee" under current Napa County policy. Several of the volunteer chiefs told the Jury that if the volunteer firefighters were called reserve firefighters, it could possibly make a difference in how the County classified volunteers under their current employee status policy. Reserve firefighters are found throughout California, embedded within both municipal and County fire departments.¹⁵

The City of Napa has a part-time Fire Reserve Program as part of the full-time Napa Fire Department. Reserve firefighters are hired to assist with emergency responses. The reserve firefighters for the City of Napa are at-will employees and are not covered by the City's Civil Service System.¹⁶ The Jury recommends that the BOS modify the County's employee status policy to reflect a name change from volunteer firefighter to reserve firefighter.

PPC would require another layer of accountability from the volunteer fire chiefs. The exact number of calls each volunteer firefighter responds to in a given time frame would have to be accurately documented and recorded. Furthermore, this information would have to be sent to the NCFD accounting office for processing and later sent to the Napa County Auditor-Controller's department for payment.

¹⁴ 2001-2002 Napa County Grand Jury Report, June, 2002. Napa County Fire Department.

¹⁵ ci.benicia.ca.us

¹⁶ www.governmentjobs.com

Annual and Ongoing Training Required for Volunteer Firefighters

Today's volunteer firefighters are expected to respond to more diverse emergencies than just wildfires. Volunteer firefighters may also respond to medical emergencies, rescue operations, and hazardous materials spills in support of the NCFD.

All of the training necessary to meet the minimum requirements is available to the volunteers. Some of the volunteers find it difficult to attend all of the training sessions because of personal obligations and scheduling conflicts.

The types of training a volunteer receives is similar to the training a full-time, paid firefighter receives. However, the difference is that paid firefighters train continuously during the non-emergency hours they are on duty. Volunteers do not have that option, as most of them have full time jobs and are subject to the limitations on when and where the training is available.

According to several volunteer fire chiefs, the amount of training to satisfy the State-mandated Occupational Health and Safety Administration (OSHA) requirements is putting an extra strain on the time commitment of today's volunteer firefighters.¹⁷ Some Napa County volunteers are not fully trained or are in the process of getting fully trained, which limits the resources available to respond to an emergency call. Most of the volunteer chiefs agreed however, that the training requirements should not be compromised and they pledged to encourage high training standards.

Firefighter Academy

New volunteer recruits are required to attend a Volunteer Fire Academy before being assigned to a volunteer firefighter company. The Academy training is provided by Cal Fire personnel and lasts over a period of four months from January to May annually. Classes are held on Wednesday evenings and all day on Sunday of each week. Some of the coursework includes Wildland Training tactics, vehicle extrication methods, hazardous materials removal and public service first aid training (PSFA).¹⁸

Some of the volunteer fire chiefs expressed the need for more open communication between the Cal Fire training officers and the rank and file volunteers regarding the training standards. The Jury concluded that there are inconsistencies in the various ways a volunteer could receive the necessary training to become fully certified. Some volunteers reported to the Jury that certain college level classes covering fire protection service may or may not be accepted by Cal Fire standards. According to the volunteers, these inconsistencies lead to further misunderstandings between the volunteers and the NCFD.

The monthly training sessions are normally held at the volunteer's fire station. Sometimes they are held at a neutral site with multi-station participation. The sessions can be supervised either by the Cal Fire training staff or by one of the volunteer's training officers. The responsibility for recording and submitting the verification of participation in the training sessions comes from the volunteer fire chief, not from a Cal Fire training officer. Many of the volunteers felt that the training scheduling could be better coordinated to meet their individual needs.

¹⁷ www.firehouse.com/home/news/10529800/california-requires-volunteers-to-meet-standards

¹⁸ Cal Fire Training Manual, December, 2023

The Jury discovered that one of the most difficult positions to fill among active volunteer firefighters is someone to drive the fire engines. The training and certification for engine drivers is time consuming and most of the volunteer stations struggle to maintain this level of operational efficiency.

Volunteer Stations Underperforming and Underutilized

During its investigation, the Jury visited all nine volunteer fire stations and met with all of the volunteer fire chiefs. The Jury examined incident reports, reviewed training records, recorded the membership numbers and discussed the number of emergency calls each fire station had responded to in the last year.

The Jury found that there are two volunteer fire companies - Soda Canyon and Dry Creek/Lokoya - that currently have low membership numbers and are struggling to attract volunteer recruits. The Soda Canyon fire station has ten volunteers and the Dry Creek/Lokoya fire station has 13 volunteers.

Furthermore, the Jury noted that a high percentage of the members from these fire stations are out of compliance with either the annual Volunteer Medical Questionnaire (VMQ) or the State mandated RPE/Fit Test certification. Volunteers who are out of compliance with either of these regulations cannot participate in any hands-on training sessions or respond to emergency calls.

Prior Grand Jury Reports

The Jury examined three prior Grand Jury Final Reports (2001-2002, 2007-2008, and 2011-2012) as part of this investigation. Each of these prior grand jury reports included investigations of the Napa County Volunteer Firefighters. Many of the recommendations in these reports addressed the issues of compensation, training, recruitment and communication between the volunteer fire chiefs and the NCFD.

The Jury found that many of these recommendations were not implemented by the NCFD and BOS because they were found to be unwarranted. Some of the volunteers interviewed viewed the lack of action regarding these recommendations as not being appreciated or recognized for their service to the community. The volunteers felt that the recommendations were warranted and should have been given more attention.

The 2007-2008 Napa County Grand Jury recommended that the BOS hire a dedicated Napa County employee whose primary responsibility would be the coordination and support of the County Volunteer Firefighters.¹⁹ The BOS did not implement that recommendation and instead hired a Cal Fire Division Chief in 2014 to act as the Napa County Fire Chief.

In 2014, a NCFD Chief Officer was appointed as a liaison between the volunteer fire chiefs and the NCFD. The purpose of the liaison position was to improve communication and build a two-way bridge between the volunteers and the County. The volunteers asked for that position to be independent from Cal Fire. They expressed a desire to be represented by someone with strong ties to Napa County. However, that request was denied, which made it harder for the volunteers to accept the line of command from Cal Fire.

¹⁹ 2007-2008 Napa County Grand Jury Report, Napa County Fire Department.

The liaison position was vacated in 2017 according to the NCFD. The NCFD said it was underutilized and ineffective due to a lack of ongoing dialog between the volunteer fire chiefs themselves. Interviews with some of the volunteer fire chiefs also expressed that the position was underutilized. A majority of the volunteer fire chiefs now feel that the position should be reinstated with someone independent from Cal Fire. Several volunteers suggested that the liaison position should be a retired firefighter.

The relationship between the volunteers and the County grew further apart following the loss of this liaison position, leading to more frustration among the volunteer fire chiefs that their voices were not being heard. Further misunderstandings between the County and the volunteers pushed the volunteer firefighter companies to operate more independently from each other and created morale problems among the volunteer firefighters.

The nine volunteer fire chiefs have a diversity of experience and leadership styles. Their level of commitment to their mission as volunteer firefighters is clearly reflected in the way they operate their fire station. It is clear to the Jury that they are dedicated to the volunteer program. What the Jury found missing, however, was a genuine sense of cohesiveness between the volunteers and the paid staff that defines what a combined and cooperative fire protective service is all about.

All of the volunteer fire chiefs expressed the need for more communication between the paid firefighters and the volunteers. The Jury concluded that more communication is needed on a regular basis, especially among the volunteer chiefs themselves. The Jury recommends that the volunteer fire chiefs establish a bi-monthly meeting with the current member of the BOS who sits on the Fire Services Advisory Committee (FSAC). This meeting should be facilitated by the Napa County Fire Chief.

Fire Services Advisory Committee (FSAC)

FSAC was formed in 2013 by the BOS to focus on concerns within the Napa County Fire Department.²⁰ FSAC is composed of 11 members. The committee membership includes the Napa County Fire Chief, the Napa County Deputy Fire Chief, three volunteer firefighters, one member of the BOS, one member from the County's Risk Management Department, one member from the community, and three members from Cal Fire. FSAC meets every other month.

The purpose of FSAC is to advise the Napa County Fire Chief and the BOS on issues pertaining to the Napa County Fire Department, including the volunteer program. FSAC reviews training plans, operational budgets, and long-term department goals and objectives. It also serves as a conduit for the volunteer firefighters to express their views and opinions regarding operational and personnel matters.

FSAC has a large representative base (11 members) that requires attendance from all members to be effective. When key members of the group not affiliated with either the NCFD or the volunteers are not in attendance, it forces the volunteer fire chiefs to act on their behalf as the check and balance of the system.

²⁰ www.countyofnapa.org, Napa County Fire Department, Fire Services Advisory Committee

A key member of the FSAC is the BOS representative. The Jury found that this position has been filled by the same BOS member for the last four years. The Jury recommends that this position be rotated among the current sitting members of the Board of Supervisors on a yearly basis.

The Jury also found that the communication among the nine volunteer firefighter companies is almost non-existent. The volunteer fire chiefs do not meet on a regular basis with the Napa County Fire Chief, nor do they share any information with the BOS. Most of the volunteer chiefs agreed that more communication with the Napa County Fire Chief and the BOS would be helpful to boost morale.

Utilization Issues for Today's Volunteer Firefighters

Historical Overview

Fifty years ago volunteer firefighters in rural Napa County were part of a decentralized fire protection service that drew most of its members from the communities in which they lived and worked. The population in these communities was stable and it was common for volunteer firefighters to follow generational trends of family members. The Jury found that these generational trends still exist today in some of the volunteer companies, but far fewer than in the past.

During this time period, Napa County did not have a paid fire department. The volunteers served the community in this capacity, and they were effective even with the limited training and fire apparatus equipment they had acquired through their community fundraising efforts. As long as their memberships remained stable, the volunteer fire departments provided their communities with reliable fire protection services.

Over the past fifty years however, the County's rural neighborhoods have undergone major changes. New homes, wineries, and businesses have flourished, creating a greater need for a more responsive and expanded fire protection and emergency service. The new development also brought with it a growth in the population with more vehicles on the roads, all of which gave rise to the formation of a full-time, paid Napa County Fire Department in 1973.

The demographics in these rural neighborhoods have also changed. The pool of available residents who wish to serve as volunteer firefighters has declined. According to the volunteer fire chiefs the Jury interviewed, today many of these neighborhoods are struggling to maintain a bare minimum of residents to serve as volunteer firefighters.

Fire Protection Service in Rural Areas

When the NCFD formed in 1973 under contract with Cal Fire, the dynamics of how the volunteers were utilized for fire protection and emergency services also began to change. The County built new fire stations in the rural areas and began staffing them with full-time, paid firefighters.

The volunteer stations remained and continued to provide emergency services in a support role, as the paid fire stations assumed the role as the primary fire protection and emergency services provider for Napa County.

The Jury learned from visiting the volunteer fire stations that the term “volunteer firefighter” can be misleading when describing the work performed by the volunteers. Volunteer firefighters, like all firefighters, are trained to respond to all kinds of emergencies.

In Napa County, volunteers respond mostly to medical calls because, according to Cal Fire officials, approximately 80% of all dispatched calls are for medical assistance. These types of calls are considered routine emergency calls and can range from vehicle accidents to cardiac arrests. The volunteers also respond when there is a vegetation or structure fire in the local area.

The Jury was told by the volunteer fire chiefs that the use of volunteers for routine emergency calls is not as critical as it was in the past years. The reason for this reduced need is because there are more full-time, paid fire stations in the rural areas today that can respond, in most cases, much faster to the incident than the volunteers. However, the Jury found that the volunteers still play an important role in responding to emergencies in rural neighborhoods, but their role has become more as backup support for the NCFD.

Volunteer Utilization Begins to Change

As the role of the volunteers began to change over the years, so did the membership in most of the nine volunteer firefighter companies. With fewer volunteers to respond to emergency calls, the overall response rate to each incident in some of the volunteer companies also declined. Further, the Jury discovered from examining the incident reports at each of the volunteer fire stations, that the volunteers who were showing up to the emergency calls were the same individuals just about every time. The Jury found that today the response rate for the combined nine volunteer fire companies is less than 50% of the volunteers who are available to respond.

911 emergency calls are dispatched to both the full-time, NCFD paid stations and to the volunteers, who carry pager phones with them at all times. The closest NCFD paid station to the incident will always respond to the dispatched call. Volunteers from the closest volunteer fire station will also respond to the dispatched call provided they are available, but usually are not the first unit at the scene of the incident.

The reason for this delay is that the volunteer's response time has to take into account the time the volunteer gets notified to the time they pick up a piece of fire apparatus at the volunteer fire station to the time they get to the scene of the incident. The Jury was told that under these circumstances, the volunteers most of the time assume the role as backup to the paid stations.

New Operational Model for Volunteer Firefighters

The Jury learned from interviews with the NCFD administrative staff, that a potential new operational model for the utilization of volunteers within the framework of the NCFD is long overdue. The Jury found that the NCFD paid staff supports the volunteer program and appreciates the work they do as emergency responders, but think the time has come to make some operational changes in how the volunteers are used in fire protection for Napa County.

The Jury was told that a new operational model for the utilization of volunteers would not eliminate the volunteers, rather use them more effectively when there is a surge in fire activity from a large wildland fire where more “boots on the ground” are needed. Under the new operational model, the volunteers could be designated as reserve firefighters and be organized under a single command when deployed to fight a large fire.

The existing volunteer stations would not disappear under the new operational model, and the volunteers could still provide emergency services if needed, but their primary role would shift from responding to routine emergency calls to that of a reserve firefighter.



Napa County Fire Department, Erick Hernandez, 2020

FINDINGS

The 2022-2023 Napa County Grand Jury finds that:

F1. The current structure of the volunteer monthly stipend does not reward the volunteers who respond to multiple calls.

F2. The operational model for how volunteers are used in support of the Napa County Fire Department is ineffective because it does not hold volunteers accountable for not responding to emergency calls.

F3. The low response rate from the Soda Canyon Volunteer Fire Station compromises its effectiveness to provide reliable fire protective service.

F4. Napa County does not have a dedicated web page or program for the purpose of recruiting new volunteers from a broader group of potential applicants.

F5. The Board of Supervisors representative for the Fire Service Advisory Committee has not changed in four years, creating a lack of representation from all five Supervisory Districts.

F6. The selection process and criteria for the position of Volunteer Fire Chief is not standardized under state-mandated industrial guidelines.

F7. The volunteers do not have a liaison officer to act as a spokesperson between them and the Napa County Fire Department, resulting in miscommunication and misunderstandings between both groups.

F8. The volunteer firefighters have morale problems resulting from a perceived lack of appreciation by the Board of Supervisors and the Napa County Fire Department.

RECOMMENDATIONS

The 2022-2023 Napa County Grand Jury recommends that:

R1. By December 1, 2023, the Board of Supervisors develop a plan that calls for the volunteer's monthly stipend to be replaced with a Paid Per Call system.

R2.. By December 1, 2023 the Board of Supervisors establish a committee of volunteer firefighters, paid staff from the Napa County Fire Department, and members of the community to develop a new operational model that places more emphasis in responding to larger fires in a surge capacity. The new model would classify the volunteers as reserve firefighters.

R3.. By December 1, 2023 the Board of Supervisors authorize the Napa County Fire Department to relocate and consolidate the volunteers assigned to the Soda Canyon Volunteer Fire Station to the Napa County Fire Department's paid fire station #25 on Monticello Road. The relocation and consolidation includes moving the remaining fire apparatus equipment from the Soda Canyon Volunteer Fire Station to the paid station #25.

R4. By December 1, 2023, the Napa County Deputy Fire Chief, in conjunction with the Volunteer Fire Chiefs, establish a County-wide dedicated web page for the purpose of providing information to the public about the volunteer firefighter program in Napa County. The information must include a mission statement, the minimum requirements to become a volunteer firefighter, and the level of training necessary to meet state-mandated fire and safety regulations.

R5. By September 30, 2023 the Board of Supervisors representative to the Fire Services Advisory Committee will be appointed on a yearly cycle with each supervisor serving on a rotating basis.

R6. By December 1, 2023 the Napa County Deputy Fire Chief adopt and enforce the selection criteria for the position of Volunteer Fire Chief that follows state-mandated guidelines.

R7. By December 1, 2023 the Board of Supervisors reinstate the volunteer liaison position with a retired firefighter.

R8. By December 1, 2023 the Board of Supervisors and the Napa County Deputy Fire Chief coordinate with the local media to publish a feature article for the general public highlighting the successes of the volunteer program.

COMMENDATIONS

1. The Grand Jury commends the Angwin Volunteer Firefighter Company for their morale building strategies by providing an exercise and weight room at the fire station for use by the volunteers during their leisure time.

2. The Grand Jury commends the Carneros Volunteer Fire Chief and the Napa County Fire Deputy Fire Chief for their efforts in securing funding from the Napa Valley Vintners Association to purchase for each volunteer firefighter company the software and hardware for a “real-time volunteer online staffing availability system.”

3. The Grand Jury commends the Cal Fire management team for their vision and professionalism in dealing with recent administrative changes in the Napa County Fire Department.

4. The Grand Jury commends the Napa County Fire Department and the County of Napa for the planning and development of a new, two-bay, volunteer satellite fire station in the Carneros region of Napa County.

REQUIRED RESPONSES

Pursuant to Penal Code sections 933 and 933.05, the grand jury requests responses as follows: From the following county officials within 90 days:

- Napa County Board of Supervisors (F1, R1), (F2, R2) (F3, R3), (F5, R5), (F7, R7), (F8, R8).

Pursuant to Penal Code sections 933 and 933.05, the grand jury requests responses as follows: From the following county officials within 60 days:

- Napa County Fire Chief - LNU Unit Chief (F2, R2), (F4, R4), (F6, R6), (F8, R8).
- Napa County Deputy Fire Chief (F2, R2), (F4, R4), (F6, R6), (F8, R8).

INVITED RESPONSES

- Napa County Assistant Deputy Fire Chief (F2, R2), (F4, R4), (F6, R6), (F8, R8).
- Volunteer Fire Chief - Carneros Station 10 (F1-F8), (R1-R8).
- Volunteer Fire Chief - Soda Canyon Fire Station 13 (F1-F8), (R1-R8).
- Volunteer Fire Chief - Capell Valley Fire Station 14 (F1-F8), (R1-R8).
- Volunteer Fire Chief - Rutherford Fire Station 15 (F1-F8), (R1-R8).
- Volunteer Fire Chief - Dry Creek/Lokoya Fire Station 16 (F1-F8), (R1-R8).
- Volunteer Fire Chief - Angwin Fire Station 18 (F1-F8), (R1-R8).
- Volunteer Fire Chief - Pope Valley Fire Station 20 (F1- F8), (R1-R8).
- Volunteer Fire Chief - Deer Park Fire Station 21 (F1-F8), (R1-R8)
- Volunteer Fire Chief - Gordon Valley Station 22 (F1-F8), (R1-R8).

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

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Napa County Volunteer Firefighter Stations - March, 2023

Station 10 - Carneros - Milton Road, Napa

Station 210 - Carneros satellite station - Old Sonoma Road, Napa

Station 13 - Soda Canyon - Soda Canyon Road, Napa

Station 14 - Capell Valley - Capell Valley Road, Napa

Station 15 - Rutherford - Highway 29, Napa

Station 215 - Rutherford satellite station - Silverado Road, Napa

Station 16 - Dry Creek/Lokoya - Dry Creek Road, Napa

Station 18 - Angwin - College Ave, Angwin

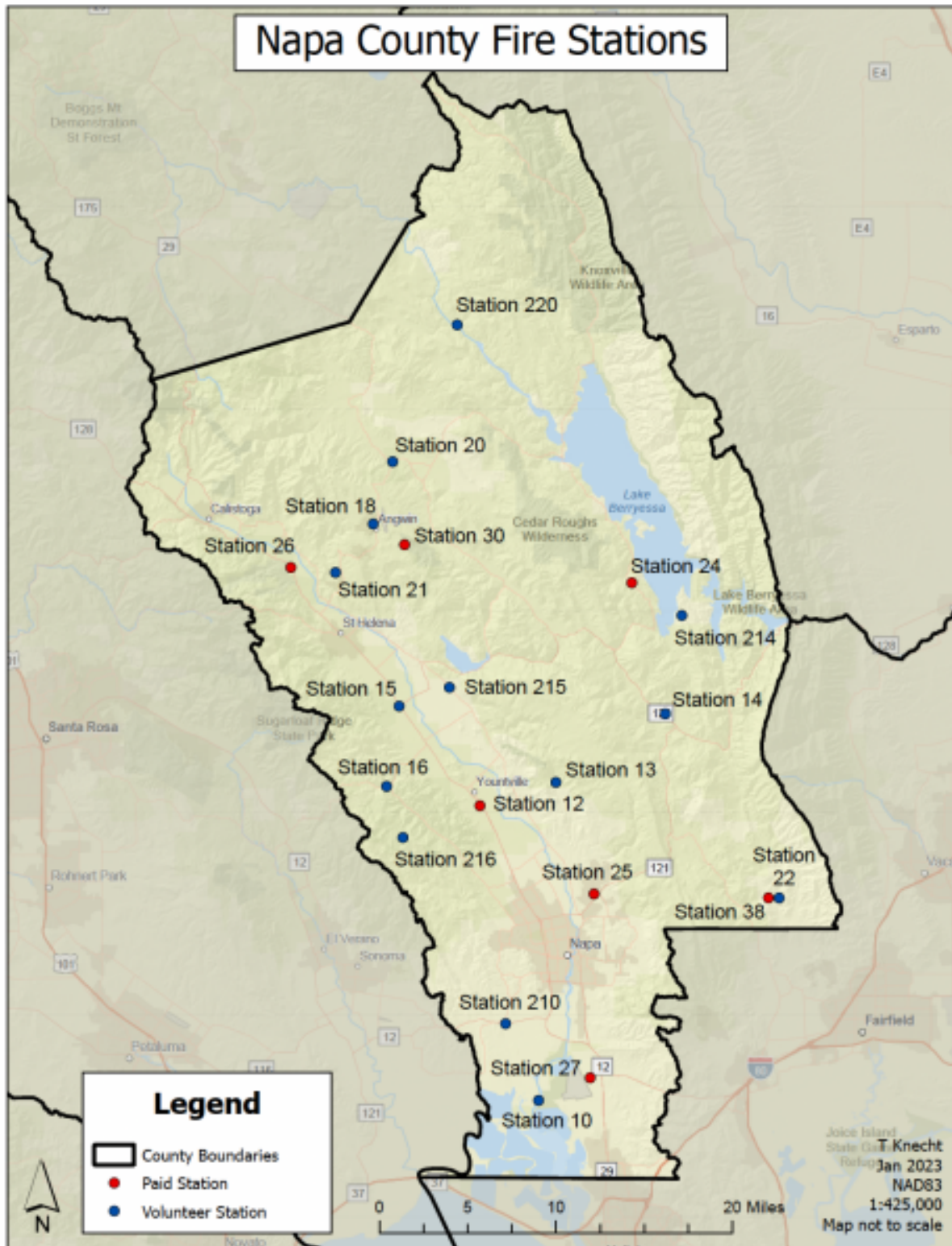
Station 20 - Pope Valley - Pope Valley Road, Napa

Station 220 - Pope Valley satellite station, Stagecoach Canyon Road, Napa

Station 21 - Deer Park- Sanitarium Road, Deer Park

Station 22 - Gordon Valley - Gordon Valley Road, Napa

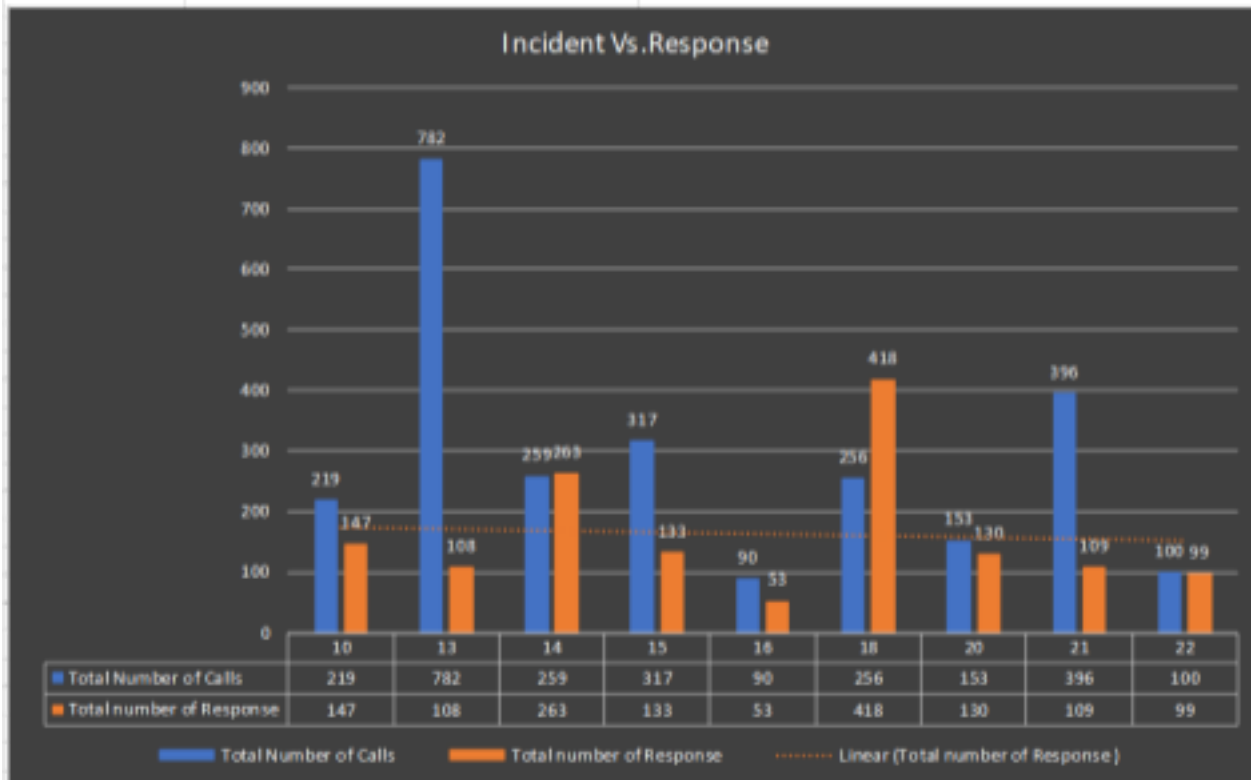
APPENDIX



Napa County Fire Department Volunteer Summary Report

Incident Vs. Response - Total Number of Calls for 2020

Station	Total Number of Calls	Total number of Response
10	219	147
13	782	108
14	259	263
15	317	133
16	90	53
18	256	418
20	153	130
21	396	109
22	100	99
	2572	1460



The total numbers of responses may be more than the total number of incidents due to multipool units responding from the same station. The total percent of response for 2020 was 57%.



NAPA COUNTY GRAND JURY
2022-2023

FINAL REPORT
April 26, 2023

NAPA COUNTY JAIL
Out With the Old, In With the New
Serving Time in the Meantime

Out With the Old, In With the New Serving Time in the Meantime

SUMMARY

The California Penal Code Section 919(b) mandates a yearly inquiry into the management and conditions of all detention facilities in the County. The 2022-2023 Napa County Grand Jury (Jury) conducted a physical inspection of the Napa County Jail (NCJ) in 2022. The Jury also met with and interviewed several Jail staff members and administrators.

The NCJ no longer meets the needs of our County, and construction of a new jail is underway. Incarcerated persons (hereby referred to as IPs) are now incarcerated for longer periods creating the need for programs that support rehabilitation and re-entry to society. The physical limitations of the building have hindered the NCJ's ability to provide programs, and the programs that had been offered were halted due to Covid-19 restrictions in the last three years. The Jury does not believe it is in the best interest of the IPs or the County to wait for the new jail facility to open before offering increased programming to the IPs who are serving out their sentences. The NCJ found innovative ways to function under the restrictions of the pandemic. The Jury is hopeful that this creativity will be utilized to provide programs while the new facility is under construction.

BACKGROUND

The NCJ qualifies as one of two detention facilities in Napa County. The NCJ is managed by the Department of Corrections which is part of Public Safety services. Napa is the only county in California with its jail directed by a County employee administrator, rather than the Sheriff's Department. The NCJ is inspected biannually by the State of California Board of State and Community Corrections and annually investigated by the Napa County Grand Jury.

In 1976, the Napa County Jail, near Third and Coombs streets, opened with 60 beds at a cost \$4 million dollars (approximately \$24 million in today's dollars). In 1989, the jail was remodeled and expanded at a cost of \$8 million (approximately \$19 million in today's dollars).

In October 2022, the Board of Supervisors unanimously approved the \$133.3 million budget to build a new jail. Construction started in early 2023 and is scheduled to be finished in December 2024, with plans to open in March 2025. The new NCJ will have 332 beds, including 28 beds in a mental health/medical unit, and will replace the existing 276 bed jail in downtown Napa.

METHODOLOGY

Interviews conducted:

- Interviewed Administrative Staff at NCJ
- Briefings and Q & A with NCJ staff
- Toured NCJ and Re-entry facility

Documents reviewed:

- The NCJ Procedures Manual
- The 2020-2022 Biennial Inspection Penal Code Section 6031 and Welfare and Institutions Code 209
- The guidelines outlined in the State of California Title 15 Minimum Standards for Detention Facilities
- The 2020-2022 Board of State and Community Corrections Biennial Inspection Report
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DISCUSSION

The NCJ was originally designed to hold IPs only until sentencing. Since 2011 IPs without current or prior serious or violent offenses have stayed in county jails to serve their sentences.¹ Napa County has run into space constraints at the existing jail due to the need to separate IPs because of Covid-19 isolation and quarantine guidelines, mental and behavioral issues, and consideration of other factors such as gang affiliations.

The physical building is too small, housing only 276 IPs with ten mental health/medical beds. The jail population occasionally exceeds this capacity, requiring the use of temporary mattresses that rest on the floor. The physical layout of the jail contributes to other challenges. The NCJ has three levels. When IPs need to be transported, they walk through a maze of hallways and use elevators. This layout creates an increased safety risk by providing opportunities for violence and attempted escapes. Despite the aging facility, the NCJ passed the 2020-2022 California Board of State and Community Corrections biennial inspection with no outstanding items of noncompliance and has had no escapes in recent years.

Work opportunities are provided as incentive for good behavior but are generally not offered to the female IPs due to the proximity of the kitchen/laundry facilities to the cells designated for male IPs. The new jail will offer work incentives to all qualified IPs.

¹ Governor Brown signed into law Assembly Bill (AB) 109 and AB 117 in 2011.

Under Covid-19 restrictions, group programming was put on hold. IPs can receive limited services individually at their cell, however there is no regular group programming such as educational classes, recovery programs, job training or religious groups, even as the restrictions are being lifted. As of January 2023, there was no definitive plan for programs to resume after the state of emergency came to an end in March 2023. The new jail will have large group spaces and classrooms for various programs, including career training.

The NCJ has kept Covid-19 outbreaks to a minimum. The implementation of a quarantine unit also provided an extended opportunity for observation of new IPs that can make their future cell placement more appropriate and safe. The NCJ has started the Early Access Stabilization Services program which addresses mental health issues at intake and secures mental health treatment options earlier in the booking/holding process.

Another positive change that the NCJ has implemented during Covid-19 restrictions has been video arraignments. IPs have the option to conduct their court arraignments over a video visit. Video arraignments save time and travel, and will hopefully continue when IPs are housed in the new jail as it is about three miles from the courthouse.

The Jury did note that NCJ has many long-term staff working with minimal use of overtime or mandated shifts. The interactions observed between staff and IPs were cordial and respectful. The facility appeared clean and well-run. The administration and staff that the Jury spoke with were passionate about their work and excited for the benefits and opportunities that the new jail will provide.

In 2014, the County secured a \$13.5 million bond-funded state grant to help build a \$23.4 million re-entry facility that was completed in 2019. The facility was designed to house IPs who are nearing release. These IPs were to receive counseling and skills classes to help them successfully reintegrate into society. The facility lacks the traditional security measures of a jail, including fencing, razor wire, and locked cells. Since the pandemic, however, the Superior Court releases low-level offenders from custody and uses alternatives to jail, such as electronic home monitoring. More lenient sentencing laws have also resulted in a smaller pool of inmates eligible for programming at a re-entry facility.

For these reasons, the County has never used the re-entry facility for the intended purpose of housing IPs and trying to reduce recidivism. The facility has been used to house people displaced by the 2020 wildfires and as an isolation-and-quarantine COVID-19 shelter for those who couldn't isolate in their own homes. Due to the fact that the re-entry facility was funded in part by a state grant, the County cannot repurpose the facility, even for temporary uses, without state approval. Current discussions between jail administration and other County departments are in the works to find a practical use for this building that fits the state mandates. Also the County is seeking to negotiate with the State to find a way to implement a more practical and cost-effective use for the re-entry facility.

The 2022-2023 Jury has three findings and three recommendations for the interim period until the new jail is built and running.

FINDINGS

The 2022-2023 Napa County Grand Jury finds that:

F1. The Napa County Jail lacks adequate programming, especially for long-term incarcerated persons. Now that the Covid-19 State of Emergency has been lifted (March 2023), it is not reasonable to wait for the new jail to provide broader programs for incarcerated persons.

F2. Women are not offered equitable work opportunities at the Napa County Jail.

F3. The re-entry facility is not currently used and is likely not going to be used for its intended purpose.

RECOMMENDATIONS

R1. The Napa County Grand Jury recommends that the Director of Corrections increase programs for IPs by December 31, 2023. If the space constraints are a limitation, the jury recommends NCJ increase online programs.

R2. The Napa County Grand Jury recommends that the Director of Corrections implement work opportunities for women by December 31, 2023.

R3. The Napa County Grand Jury recommends that the Board of Supervisors continue to work diligently with the State to find and implement a long term solution for the use of the re-entry facility and provide quarterly updates to the public until a long term solution is implemented.

COMMENDATIONS

1. The Napa Grand Jury commends the NJC for managing the Covid-19 pandemic with innovative solutions to keep outbreaks to a minimum.

REQUEST FOR RESPONSES

The following responses are required and requested pursuant to Penal Code Sections 933 and 933.05:

From the following county officials within 90 days:

- Director of the Department of Corrections: F1, F2, R1, R2
- Board of Supervisors: F3, R3

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.



NAPA COUNTY GRAND JURY
2022-2023
FINAL REPORT

JUNE 21, 2023

NAPA COUNTY JUVENILE HALL
Compliance and Implementation Report
2022-2023 Grand Jury Report on Compliance and Implementation
of
Grand Jury Report Findings and Recommendations and Responses
2019-2020: "Napa County Juvenile Hall Exceptional Cost"

2021-2022: “Napa County Juvenile Hall”

SUMMARY

The 2022-2023 Napa County Grand Jury (Jury) performed a Compliance and Implementation Review of the Napa County Juvenile Hall (NCJH) responses to reports issued by the 2019-2020 and 2021-2022 Napa County Grand Juries. The Jury reviewed these responses and chose to investigate the progress that has been made on the NCJH agreed-upon findings and recommendations made in these reports.

The Jury identified responses to four findings and recommendations where the NCJH committed to performing specific actions. The topics of these actions included staffing, program effectiveness, the New Horizons Academy, and library services. With the exception of staffing, the Jury found that compliance and implementation is in process.

BACKGROUND

The Jury chose to submit a Compliance and Implementation Report of the NCJH in compliance with the California Penal Code Sec. 919 (b) which mandates a yearly inquiry into the management and conditions of all detention facilities in the County.

NCJH qualifies as one of the two detention facilities in Napa County. The other detention facility in Napa County is the Napa County Jail which comes under the Department of Corrections. The NCJH is administered by the Napa County Probation Department under the direction of the Chief Probation Officer (CPO).

The 2022-2023 Compliance and Implementation Report replaces the traditional comprehensive yearly inspection of NCJH. In the last year, the NCJH has been focused on Covid-19 restrictions, and preparing for June 2023, when California will close the last facilities operated by the Department of Juvenile Justice and shift responsibility for rehabilitating juveniles to local governments.

The Jury decided to focus on previous report findings and recommendations that the NCJH agreed to with the goal of determining if progress has been made.

METHODOLOGY

The Jury reviewed the prior Napa County Grand Jury Juvenile Hall reports to identify the actions that the NCJH committed to performing. The Jury evaluated whether the actions were performed and to what extent.

The 2019-2020 report can be found here:

<https://www.napa.courts.ca.gov/system/files/napa-county-juvenile-hall-exceptional-costs-f.pdf>

The NCJH response to this report can be found here:

https://www.napa.courts.ca.gov/system/files/general/gresponse_juvenile-hall_napacounty.pdf

The 2021-2022 report can be found here:

<https://www.napa.courts.ca.gov/system/files/report-napa-county-juvenile-hall.pdf>

The NCJH response to this report can be found here:

<https://www.napa.courts.ca.gov/system/files/napa-county-board-supervisors-chief-probation-officer-f.pdf>

To conduct the evaluation, the Jury toured the NCJH facility. The tour was conducted by NCJH staff. The Jury observed the physical facility and received information concerning its investigation and the operation of the facility during the Covid-19 pandemic. The Jury performed a follow-up interview with administrative staff.

The Jury reviewed selected documents related to the operation of the NCJH. Three of those documents included the NCJH Procedures Manual, the guidelines outlined in the State of California Title 15 Minimum Standards for Juvenile Hall Facilities, and the Board of State and Community Corrections annual inspection.

DISCUSSION

The respective Napa County Grand Juries and the NCJH agreed on four primary findings and recommendations centered around staffing and programming.

2019-2020 Grand Jury Report, Finding 3

The 2019-2020 Grand Jury found that the facility was overstaffed based on the actual number of [youth].¹

The NCJH agreed with the finding, stating:

“As of August 1, 2019, a plan has been put in place to reduce the staffing levels while maintaining the safety of youth and staff, while continuing to offer current levels of Evidence Based programming to youth, and eliminating the need to lay off any staff.

[Anticipated] promotions and retirements along with three additional vacancies will create seven Juvenile Hall Counselor positions that will be left open, reducing the staffing levels in Juvenile Hall 25%.”²

The Jury found that between 2019 and 2023, staffing has decreased 14%. The NCJH administrators believe that current staffing is necessary to satisfy Title 15 requirements and other factors, such as:

¹ <https://www.napa.courts.ca.gov/system/files/napa-county-juvenile-hall-exceptional-costs-f.pdf>

² https://www.napa.courts.ca.gov/system/files/general/gresponse_juvenile-hall_napacounty.pdf

increased sick leave due to Covid-19, managing three potential housing areas, counseling services, court proceedings and associated staffing needs, youth recreation, family visitation, attorney visits, programming, bookings, releases, safety checks, schooling, and medical transportation. NCJH administrators are currently planning to increase staffing with three new counselors.

2021-2022 Grand Jury Report, Recommendation 5

The 2021-2022 Grand Jury recommended the Chief Probation Officer should engage the [Juvenile Justice Coordinating Council], [The Juvenile Justice Commission], and [Napa County Office of Education] in the design, creation, and implementation of the New Horizons Academy as a way to address excess Juvenile Hall capacity and the needs of a broader range of youth. The design should focus on the provision of additional services to probationary youth not requiring detention in a secure facility, but who would benefit from a supervised residential program with easy access to a comprehensive educational program and mental health services.³

The Chief Probation Officer responded:

“The Department is actively engaged in redesigning a juvenile camp program that will provide individualized services to youth who require intensive rehabilitative services in a secure environment as well as re-evaluate other programs....”⁴

The Juvenile Justice Coordinating Council responded:

“The Juvenile Justice Coordinating Council will advise the Chief Probation Officer on the design, creation, and implementation of a new probation camp program in Juvenile Hall in collaboration with partner agencies as a way to address capacity and use successful programs like the audio studio while creating new innovative ways to support the success of local youth.”⁵

The Jury found that the New Horizons Academy shut down as result of Covid-19 and a new camp program is in development. The NCJH still agrees that a camp program is a better way to serve the youth while maximizing the space and staffing.

2021-2022 Grand Jury Report, Finding 2

The 2021-2022 Grand Jury found in part that as a result of an inadequate data system, there is no way to tell how effective the different paths or programs may be, as recently noted by the [Board of State and Community Corrections].⁶

The Juvenile Justice Coordinating Council responded:

“The Juvenile Justice Coordinating Council acknowledges that a consulting firm, Shared Vision, has been engaged to conduct a survey of the services available to youth and families in

³ <https://www.napa.courts.ca.gov/system/files/report-napa-county-juvenile-hall.pdf>

⁴ <https://www.napa.courts.ca.gov/system/files/napa-county-board-supervisors-chief-probation-officer-f.pdf>

⁵ <https://www.napa.courts.ca.gov/system/files/napa-county-board-supervisors-chief-probation-officer-f.pdf>

⁶ <https://www.napa.courts.ca.gov/system/files/report-napa-county-juvenile-hall.pdf>

the community so Probation can better serve the needs of the youth. The consulting company is contracted to review, design, and implement a county-wide all-inclusive plan for prevention strategies and services as well as service integration for at-risk youth and their families. This process will include focus groups and community listening sessions designed to ensure there is community engagement in the juvenile justice plan as well as prioritizing effective interventions and leveraging existing resources and projects with a goal of enhancing coordinated services to youth and families in Napa County.”⁷

The Jury found that NCJH has contracted with Shared Vision Consultants for the 2022/2023 fiscal year. NCJH is actively working with Shared Vision Consultants to design the community outreach plan and engage stakeholders in the process.

The project was commissioned under the SB 823 funding from the State of California that was provided for the closure of the California Department of Juvenile Justice. The State realigned this youth population to the local level. Napa County has a contract with the Shared Vision Consultants with a maximum of \$121,480 for the entirety of the contract. It is unclear whether program evaluation will be part of the survey.

2021-2022 Grand Jury Report, Recommendation 6

The 2021-2022 Grand Jury recommended that leaders from the Office of Probation, from [Napa County Office of Education], and from the Napa County Library meet to study programs in other counties and to develop an informal memo of understanding to outline how youth in [NCJH] will have full access to robust library services.⁸

The Chief Probation Officer responded:

“This recommendation has not yet been implemented but will be implemented in part in the next year. The Chief Probation Officer and the Napa County Superintendent of Schools will collaborate with the Napa County Library to understand the options of potential integration of the library into Juvenile Hall programming.”⁹

The Jury found that NCJH and the Napa County Library are in discussions regarding potential programs and resources for youth. To date, the partnership has consisted of book donations from the library to NCJH. The Napa County Library considers this partnership an extension of library outreach. The Jury does not believe that a memorandum of understanding, as recommended by the previous Grand Jury, would be necessary to start the collaboration.

FINDINGS

The Jury finds that:

⁷ <https://www.napa.courts.ca.gov/system/files/napa-county-board-supervisors-chief-probation-officer-f.pdf>

⁸ <https://www.napa.courts.ca.gov/system/files/report-napa-county-juvenile-hall.pdf>

⁹ <https://www.napa.courts.ca.gov/system/files/napa-county-board-supervisors-chief-probation-officer-f.pdf>

- F1. The overall staffing for NCJH has been reduced by 14% rather than 25%. The NCJH has based its staffing levels on Title 15 requirements and other factors, and anticipates increasing staff.
- F2. The New Horizons Academy program has been discontinued and a new camp program is in development.
- F3. The Shared Vision consulting firm is currently identifying resources for youths in Napa County and plans to report back with specific recommendations for program development for NCJH. The survey should include measures for program efficacy and evaluation.
- F4. The NCJH is in discussions with the Napa County Library to increase reading resources and services in the NCJH library for the youth.

COMMENDATIONS

- 1. The Napa Grand Jury commends the NCJH for managing the Covid-19 pandemic with minimal cases.

REQUEST FOR RESPONSES

The following responses are required pursuant to Penal Code sections 933 and 933.05:

From the following county officials within 90 days:

- Board of Supervisors: F1, F2, F3, F4

The following unelected local government officials are invited to respond within 90 days:

- The Napa County Chief Probation Officer: F1, F2, F3, F4
- Superintendent, Napa County Juvenile Hall: F1, F2, F3, F4

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**NAPA COUNTY GRAND JURY
2022-2023**

June 21, 2023

FINAL REPORT

**INFORMATION TECHNOLOGY
SERVICES IN NAPA COUNTY**

Summary

The use of technology by County departments and residents has increased significantly over the past several years. Robust Information Technology (IT) is imperative to the reliable and efficient function of County government operations and the delivery of services to the public. People have a growing expectation for increased availability and access to systems and services because of rapid advances in technology and a shift to more online services.

Access to these services 24/7 has become a baseline expectation for both the employees of the County and the general public. Live video streaming Board of Supervisors (BOS) meetings, online minutes and agendas, property and geographical information, public records, County budgets, online forms and filings processes are all examples of online services expected today.

Effective implementation of IT is key to enhancing efficiency, reducing costs, and turning data into useful information, which in turn provides better customer experiences for both County employees and citizens. Integrated, strategic and resilient County IT plans are critical to meet these needs. The 2022-2023 Napa County Grand Jury (Jury) investigated the County's IT structure including the interactive processes between departments and the management of these systems. Areas such as departmental planning, budgeting, structure, and support are key interests. The Jury finds a need for a more strategic and cross-departmental strategy for IT and makes recommendations for how to achieve these goals.

Background

IT is an essential part of the delivery of services by Napa County and involves the use of hardware, software, services, and supporting infrastructure to manage and deliver information using voice, data, and video. This technology enhances the productivity of employees, supports the daily functions of departments, and stores critical information in both digital and analog forms. The IT department provides work processes in a multitude of ways that allows the County to interact with and serve its residents.

IT has two components – infrastructure and applications. Infrastructure is the system of computers, servers, proprietary networks, WiFi, radio communications, internet and security. This system allows applications to perform tasks and move, store, and share data where needed. Applications are software and sometimes require specific hardware that is used to perform these work functions. Applications range from a simple word processing program for drafting documents to more complicated programs such as the criminal justice information systems that connect law enforcement, court, and detention systems. Some applications are purchased as “packages” from vendors who specialize in government processes.

Federal or state agencies provide some applications where integration is important between government agencies. Other applications are developed by the County itself for specific needs or purposes. California law (SB-272) requires the County to provide a list of the “Enterprise Systems” that are used across multiple departments or contain information collected about the public. The Napa County list contains 47 different applications that are used and supported.

Napa County Information Technology Services (ITS) supports all areas of County business and services. ITS is responsible for the development, maintenance, and security of the County IT infrastructure such as networks, desktop computers, servers, and radio systems. County departments define their own IT needs within their yearly budgets. ITS and County departments work together in the selection and implementation of needed applications. Most County departments have their own IT staff and request assistance from ITS when needed.

Most of ITS's \$18 million of funding is received from individual County departments for the provision of their IT services. This accounting process is a "bill back" model where the County department is charged for the use of common infrastructure and devices like laptops, radios, phones, and desktop computers. About 10% of the overall budget is for internal ITS department projects mainly for support of the infrastructure within the County.

Given the importance and rapid development of Information Technology, the Grand Jury decided to investigate the overall operations and strategy of the County Information Technology Services.

Glossary/Acronyms

- CJNET: Criminal Justice Information Management System
- DB: Data Base
- HHS: Health and Human Services
- ITS: Information Technology Services
- IT: Information Technology
- PBES: Planning Building and Environmental Services

Methodology

Napa County Department Interviews

- Assessor's Office
- Child Support Services
- Elections
- Health & Human Services
- Information Technology Services
- Auditor-Controller Office
- Library Staff
- Planning Building and Environmental Services Department
- Probation Department
- Sheriff's Department

Documents Reviewed

- Alameda County IT Report
- Contra Costa County IT Report
- Los Angeles County IT Report
- Mendocino County IT Report

- Napa SB 272 PDF list
- Santa Cruz County IT Systems

Websites Reviewed

- Alameda County IT Department
- Center for Digital Government's 2022 Digital Counties Survey
- El Dorado County IT Department
- Nevada County IT Department
- Napa County Information Technology Services
- Napa County Health and Human Services
- Napa County Library
- San Luis Obispo County IT Department
- Santa Cruz County IT Department
- Yolo County IT Department

Discussion

Infrastructure Support and Development

ITS manages most networks and systems such as phones, servers and storage systems for the County. The Jury found one exception in the library system, where the Library Director established a separate network that is five times faster than what the County provided because patron's needs were not being met by the existing network speed/bandwidth. This additional library system resulted in funding and managing two networks rather than one for the County.

The Jury learned that County departments experience issues with moving large files, file size restrictions with email, and video conference failures. These limitations are the result of insufficient network speed and bandwidth. The Jury experienced this issue during multiple Zoom calls with County personnel where their network connection dropped many times. Staff members were forced to turn off video feeds or call us back on their cell phone in order to continue the conference. County network capacity needs and improvements take time to assess, plan and implement. Forward planning and budgeting is required to provide for future network needs.

Application Support and Development

The Center for Digital Government's surveys¹ establish benchmarks and provide public-sector leaders with meaningful recognition for improving digital government. Counties are required to inventory their applications by California law. Of the 47 identified applications for Napa County, seven were developed and are maintained by the County. Six applications were developed and are maintained by the State of California. Packaged applications are developed and maintained by independent software vendors and are sold to multiple counties. Napa County uses 28 separate packaged application vendors. These vendors can be small companies with a single application or larger companies that provide multiple applications supporting a variety of functions within the County.

¹ The Center for Digital Government and National Association of Counties' Digital Counties

The Jury learned that State and Federal authorities frequently change the requirements for local governments thereby requiring updates to County applications. In the case of County developed applications updates must be done by the ITS department. For vendor supplied applications, the updates, upgrades and maintenance of the application are done by the vendor.

The Criminal Justice information systems (CJNet) is an application that has been under development by Napa County ITS for over seven years. CJNet has been partially deployed over this time to some departments while other departments struggle with their old systems. This application ties together information of public records for court cases, warrants, and probation and involves many different services. Some county staff with experience of similar off the shelf software noted the implementation of the application took only two years to deploy. Additionally, the vendor updated the application every year as part of their service contract. The County has made substantial progress in the digitization of paper documents, however the Jury found at least three different and incompatible solutions being used. The departments have led individual efforts to convert to digital records and records management systems, which led to the selection of different solutions. This use of multiple solutions has resulted in redundant procurements and the need for County employees to learn and maintain different solutions that do the same function.

As an example, the County uses multiple mapping systems. Mapping systems are the geographic description of data. Mapping systems are used extensively by the County Assessor and Planning, Building and Environmental Services (PBES). PBES uses a digital Geographic Information Systems (GIS) for all their mapping processes. The County Assessor's office uses an analog film-based media for maps. Mapping is also valuable to the Fire Department, Elections, HHS, water management, law enforcement, and other County departments which would benefit from a common mapping system. Disparate and incompatible systems cause extra effort when data needs to be shared between departments. Santa Cruz is an example of a county that locates its GIS staff within ITS and provides a centralized service to all departments.

Inter-Departmental Interactions

The Jury learned of several instances where sharing data between departments would lead to increased value for the County. Faster client response, increased employee efficiency, rapid analysis of data for effective outcomes, easier reporting, and faster development of grant applications are some examples of benefits for employees and residents. Different County services often touch the same individual in separate interactions. A holistic view of all services provided to a client would benefit all parties. Some service requests require County employees to access information from multiple applications. For example, HHS and Criminal Justice (Courts, Probation, Sheriff) currently operate separate systems; sharing data between these entities could improve client service.

Budgeting

Currently each department submits an annual IT budget within their overall annual budgetary process. ITS then develops a budget that incorporates the individual department requests as well as a budget for their own projects. Ninety percent (90%) of ITS funding comes from individual department budgets.

IT support and maintenance are delivered continuously and their costs are budgeted on an annual basis. Infrastructure projects and application development are multi-year endeavors and require a long term commitment of funds and resources. The Jury learned of instances where department leaders improvised to finance longer term application development projects with unused funds from other projects when needed. In addition, the current budgeting process does not lend itself to infrastructure and application development projects that support multiple departments. Multi-year planning and budgeting guided by a County-wide IT strategic plan would address these shortcomings.

Findings

The Jury found that:

- F1. Napa County has insufficient network bandwidth for the increasing use of video conferencing, document imaging, and large file management.
- F2. In at least one instance a County developed application took longer to implement and was more difficult to maintain than a packaged application.
- F3. Multiple departments would benefit from a common data management system as part of the County infrastructure.
- F4. The County's focus on annual and department-level budgeting makes planning and adoption of longer term infrastructure and application development projects more difficult.
- F5. There is not a comprehensive County-wide strategy on IT infrastructure or applications.

Recommendations

The Jury recommends that:

- R1. By June 1, 2024, the Napa County CEO articulate a vision for digital government that facilitates cross department collaboration, community engagement and enhances government productivity.
- R2. Starting with the 2024-2025 budget cycle, the Napa County CEO adopt an annual IT Strategic Plan that includes multi-year objectives and investments in data integration, infrastructure, communication, and digitization.
- R3. By June 1, 2024, the Napa County CEO should initiate a project to implement a common data management system in order to share information across departments and applications.
- R4. By December 1, 2023, the Napa County CEO should consider a policy that new proprietary (County developed) applications be deployed by exception only.
- R5. By December 1, 2023, the Napa County CEO should consider a policy that existing proprietary applications be replaced by packaged applications.

Commendation

Napa County ITS is effective in implementing application systems and enhancements on behalf of separate departmental needs. This effectiveness includes project management and support.

Required Responses

The following responses are required pursuant to Penal Code sections 933 and 933.05.

- Board of Supervisors: F1, F2, F3, F4, F5. R1, R2, R3, R4, R5.

Invited Responses

- Chief Information Officer F1, F2, F3, F4, F5. R1, R2, R3, R4, R5.
- Chief Operations Officer F1, F2, F3, F4, F5, R1, R2, R3, R4, R5.

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**NAPA COUNTY GRAND JURY
2022-2023**

June 21, 2023

**MENTAL HEALTH CRISIS SERVICES
IN NAPA COUNTY**

SUMMARY

Every year thousands of Napa County residents will experience a mental health crisis. The County's Health and Human Services Agency (HHS) provides valuable services to aid these individuals in crisis. These services include a Crisis Hotline, Mobile Response Team, and 24/7 Crisis Center. The Jury recognizes many challenges HHS faces in providing mental health crisis services and generally commends HHS in its efforts.

The 2022-2023 Napa County Grand Jury (Jury) found that due to capacity and other limitations these services are insufficient to meet the mental health crisis needs of County residents. When the HHS services are unavailable, individuals don't always get the help they need. Numerous other public and private organizations in Napa County play important roles in mental health crisis management. These organizations become adversely impacted when the HHS services are limited. Worse, the individuals in crisis receive less than optimal care, or no care at all.

The Jury did identify a number of recommendations to alleviate the current limitations and help make the available resources function better together.

BACKGROUND

In a one year period, approximately 3,200¹ adults in Napa County will experience serious mental illness, and approximately 1,400 children will experience a serious emotional disturbance.

Medi-Cal mandates that Napa County provide mental health crisis services. Napa County HHS provides services which range from outpatient treatments, including psychotherapy, case management and medication management, to inpatient psychiatric hospitalization, depending on individual needs.

These services can be on a voluntary or involuntary basis. If these services are provided on an involuntary basis, they fall under the Lanterman-Petris-Short Act (LPS). Welfare and Institutions Code Section 5150 outlines the process for placing an individual believed to be a danger to self or others on an involuntary psychiatric hold in a County-designated facility for evaluation and treatment. Peace officers and County-designated professionals have the authority to place an individual on an involuntary hold. This process is commonly referred to as a 5150 hold.

The Jury conducted an investigation into the County's mental health crisis services. In its investigation the Jury worked to understand the capabilities and functions of the dedicated professionals involved providing crisis services. These professionals work diligently to meet the needs of the individuals in crisis, as well as the needs of the community. Unfortunately, due to capacity constraints and fragmented services, there are deficiencies in the system. It is the Jury's

¹ Based on incidence of serious mental illness in Bay Area Counties from California Health Care Foundation, California Health Care Almanac - Mental Health in California Waiting for Care July 2022. Serious mental illness is defined as a diagnosable mental, behavioral, or emotional disorder resulting in functional impairment that interferes with or limits major life activities. A serious emotional disturbance is defined as a mental, behavioral, or emotional disorder resulting in functional impairment that substantially limits functioning in family, school, or community activities.

hope that this report will lead to changes that will help Napa County get the most out of its mental health resources.

Mental health crisis services in Napa County involve:

- **Napa County Health and Human Services (HHS).** Mental health crisis services primarily fall under the purview of the Behavioral Health Services. This division manages the Crisis Hotline and the Mobile Response Team (MRT). Behavioral Health Services is responsible for community outreach and individuals in need. They are accountable for developing a treatment plan and following up on that plan. One of their key goals is early intervention to prevent a crisis from happening.
- **The Crisis Stabilization Unit / Crisis Center (CSU).** The CSU is run by Crestwood Behavioral Health Inc. under a contract administered by HHS. The CSU is an LPS-designated crisis facility licensed for six adults and two juveniles. The facility provides recovery based calming and de-escalating care to individuals. The CSU is not a medical facility and is the preferred location for treatment of individuals in a mental health crisis.
- **City of Napa Police Department (PD).** Napa PD officers have the authority to write 5150 holds. Officers respond to dispatch calls to deal with individuals in crisis. Napa PD may also facilitate transportation to the CSU or Queen of Valley Medical Center Emergency Department (QVMC-ED) on a voluntary or non-voluntary basis. QVMC-ED frequently calls Napa PD to assess potential 5150 hold cases.
- **Napa County Sheriff's Office.** Sheriff's Office deputies also have the authority to write 5150 holds and transport individuals to the CSU or the QVMC-ED or Adventist St. Helena on a voluntary or non-voluntary basis. The Sheriff's Office is also on call to pick up individuals on a 5150 hold who walk out of the CSU.
- **Queen of the Valley Medical Center Emergency Department (QVMC-ED).** QVMC-ED is the closest emergency room to the CSU. As such, the QVMC-ED is the designated facility for individuals needing medical clearance prior to placement at the CSU. Individuals in mental health crisis are regularly diverted to QVMC-ED if the CSU is not accepting patients or if the patient has a condition that excludes them from treatment at the CSU.
- **Adventist Health - St. Helena Hospital and Psychiatric Facility in Vallejo.** Adventist Health Care manages St. Helena Hospital, an LPS-designated 151 bed acute care facility with 37 adult psychiatric beds. Adventist Health also runs the Behavioral Wellness Center in Vallejo, a psychiatric facility that has 61 beds. The Vallejo facility also has a capability for both adolescents and children over 4 years of age. Additionally Vallejo is the intake department that coordinates admission to Adventist Health mental health facilities in the region.
- **The California Department of State Hospitals - Napa.** The Napa State Hospital is a 9,000 bed LPS-designated facility that primarily houses criminally committed patients and patients on conservatorships for gravely disabled individuals who represent a danger to themselves or others due to mental illness. In the past, Napa County contracted annually for mental health beds at the Napa State Hospital. Such contracts are encouraged by statute. Currently, Napa County mental health crisis services appear to have minimal interaction with the Napa State Hospital.

ACRONYMS

- CPAP - Continuous Positive Air Pressure
- CSU - Crisis Stabilization Unit / Crisis Center
- EMT - Emergency Medical Technician
- HHS - Health and Human Services
- LPS - Lanterman-Petris-Short Act
- MRT - Mobile Response Team (MRT)
- QVMC-ED - Queen of Valley Medical Center Emergency Department
- 5150 hold - Refers to section 5150 of the LPS act

METHODOLOGY

To investigate mental health crisis services and 5150 holds the Grand Jury reviewed a number of documents, websites and conducted a series of interviews with individuals involved in the process. This investigation included:

Documents reviewed

- Napa County 2022 HHS Budget request
- Napa County 2022 HHS Strategic Plan
- California Mental Health Service Oversight and Accountability Commission Strategic Plan
- Patient Advocacy Consultancy Training Materials
- Napa County Sheriff Office Mental Health Training Materials
- California Commission on Peace Officer Standard and Training - Learning Domain 37 “People with Disabilities” Version 6.0
- City of Napa Police Department selected call logs
- California Hospital Licensing Laws on Emergency Services and Care sourced from California Health and Safety Code Sections 1317-1317.9a and 1799.111
- California Hospital Association publication: EMTALA — A Guide to Patient Anti-Dumping Laws 2018
- Napa County HHS Mental Health Mobile Response Team presentation to Board of Supervisors, June 7, 2022
- Contract between Crestwood Behavioral Health Inc and Napa County HHS approved by Board of Supervisors, April 20, 2021
- Napa City-County Continuum of Care - Strategic Plan to Address Homelessness 2022
- California Health Care Almanac - Mental Health in California Waiting for Care 2022
- Napa County HHSA Annual Report for 2022
- Rand Corporation: Adult Psychiatric Bed Capacity, Need and Shortage Estimates in California - 2021
- State of California Department of Health Care Services: Assessing the Continuum of Care for Behavioral Health Services in California Data, Stakeholder Perspectives, and Implications January 10th, 2022
- 2022 Napa County Annual CSU Update Report for Investment in Mental Health Wellness Grant Program (IMHWGP) California Health Facilities Financing Authority (CHFFA)

Individuals interviewed

- Napa County Health and Human Services Staff
- City of Napa Police Department personnel
- Napa County Sheriff Office personnel
- Patient Advocacy Consultancy and legislative advisors
- Crestwood CSU personnel
- Queen of the Valley Medical Center personnel
- City of Napa administrative personnel
- Adventist Health personnel
- Non-profit mental health service provider personnel

Websites reviewed

- Boarding of Mentally Ill Patients in Emergency Departments: American Psychiatric Association Resource Document
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6754202/>
- Adventist Health - Vallejo <https://www.adventisthealth.org/vallejo/about-us/>
- California Legislative information THE LANTERMAN-PETRIS-SHORT ACT
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=WIC§ionNum=5150
- Mentis Website <https://mentisnapa.org/about-us/>

DISCUSSION

The path to treatment for an individual in a mental health crisis in Napa County can be unpredictable depending on the time of day, day of week, and capacity and policies of available crisis services.

The overall goal of all resources dealing with an individual in a mental health crisis is to stabilize the individual, de-escalate the situation with the lowest level of intervention that is safe and appropriate and develop a follow up plan.

Health and Human Services Crisis Stabilization Unit and Mobile Response Team

Napa County HHS provides multiple important services to help individuals in mental health crises. HHS provides a 24/7 Crisis Hotline that links individuals to mental health resources. The Mobile Response Unit consists of clinicians embedded within local law enforcement and a Mobile Response Team (MRT) for crisis assessment and resolution in the community. HHS also provides a Crisis Stabilization Unit (CSU) facility to help individuals of all ages affected by problems and symptoms associated with acute mental health crises. The CSU is also commonly referred to as the Crisis Center.

The MRT was initiated in January 2021 and went live in February 2022. The embedded clinicians and the MRT are currently available during business hours, Monday through Friday. The MRT's stated goal is to be staffed 8 am to 6 pm, seven days a week. The Jury heard throughout its investigation that recruiting and hiring mental health professionals is a challenge throughout California.

The CSU facility is located in the Napa County Health and Human Services complex on Napa Valley Corporate Drive. The CSU is operated by Crestwood Behavioral Health, a provider of inpatient mental health services, through a contract with HHS announced in June 2021. This

facility provides 24/7 comprehensive mental health services and support.

An individual in a mental health crisis can initiate engagement with County services in multiple ways. Engagement can start with a call to the Crisis Hotline or 911. An individual may also go directly to the CSU facility or an emergency room. Law enforcement may also determine that an individual needs mental health services.

Of 290 calls into the Crisis Hotline from February 2022 through November 2022, half were resolved over the phone with de-escalation and referrals to mental health resources or referral to 911/emergency services. Half of the calls were handled in person by the MRT. Of the MRT visits, 63% were resolved through crisis resolution, safety planning and referral to services. Sixteen percent were resolved with a 5150 involuntary hold for an average of about 2.5 holds per month.

If the MRT is not dispatched because the incident occurs outside its operating hours or if the threat is assessed to be high (e.g., an individual is in the act of committing suicide or physically assaulting someone) a peace officer is dispatched.

Peace Officers

Over the 12 month period ending January 31, 2023 the Napa Police Department dispatched an average of 23 calls designated as potential 5150s per month. Nearly half of these calls were to the Queen of the Valley Medical Center . Over the same period, the Napa County Sheriff's Office dispatched an average of ten potential 5150 calls per month. These metrics do not account for all calls to law enforcement involving mental health crises, only those explicitly categorized as a 5150 call. The Jury did not receive metrics for all mental health crisis calls.

Peace officers today receive significant mental health crisis training. If a peace officer believes an individual is in a mental health crisis they may place an individual on a 5150 hold or offer voluntary transportation of the individual to the CSU and allow the CSU to determine if a 5150 hold is warranted. When available, the Mobile Response Unit's clinicians embedded with law enforcement participate in calls.

When the County's resources work as intended, individuals in a mental health crisis typically receive appropriate care. An MRT team member will meet with an individual in a mental health crisis. The MRT team member will work to de-escalate, assess the situation and guide the individual to appropriate care.

If the CSU is determined to be the appropriate destination, the individual will be transported there. At the CSU an individual in a mental health crisis will be provided a calming and de-escalating environment, seen by a mental health professional and, if necessary, provided medicine to treat their psychiatric condition. The individual will regularly be reassessed and discharged with a follow-up plan.

Multiple factors unfortunately prevent the County's resources from always working as intended. The limited hours of the MRT and embedded law enforcement resources often result in the less optimal option of peace officers alone being the response to mental health crisis calls. Although increasingly trained to handle these situations, peace officers cannot provide the comprehensive response of mental health professionals. Officers generally focus on delivering the individual to available crisis services.

The CSU is licensed for two juvenile beds and six adult beds. This license is the maximum

capacity of the CSU. Capacity can be further limited due to the mix of adult and juvenile cases or if there is an elevated risk due to a particular patient. The Jury was told CSU treats approximately 60 patients per month of which two-thirds are involuntary. When capacity is reached the CSU goes on diversion, which means they will not accept any more patients.

CSU Diversion

In the 12 months ending January 2023, the crisis center had 134 instances of diversion according to City of Napa Police Department dispatch records. Data from HHS was generally consistent. There were some days with multiple diversions per day and some diversions can last more than one day. The median diversion time was between 12 and 18 hours.

Additionally, the CSU will not admit patients that have any of a range of medical conditions. These conditions include mobility devices such as a cane, CPAP machines for sleep apnea, and splints or slings. The Jury was unable to get metrics on how often patients were denied entry because of exclusionary criteria. The Jury did hear repeated anecdotal evidence from multiple stakeholders that clients were commonly excluded.

Crestwood Contract

The Crestwood contract stipulates they “Establish and operate a designated *locked* (emphasis added) ... Crisis Stabilization Unit (CSU) in a space provided for that purpose by the county.” Over a one year period, the Sheriff’s Office was called eight times to pick up individuals, thought to be a threat to self or others, who had walked out of the facility. The Jury was told Crestwood’s philosophy is that a security guard is not part of a calming and de-escalating environment. The Jury understands this philosophy, but believes Crestwood should do more to secure the facility.

The contract stipulates Crestwood serve as on-call MRT to the QOV after hours and 24/7 on the weekend. The Jury found no evidence the CSU provided this service.

The Crestwood Contract with Napa County also lists a number of performance metrics. These obligations include:

- Reduce admissions of individuals experiencing a mental health crisis to local community hospital emergency rooms by 75% of current Napa County Mental Health Plan (NCMHP) emergency room visits.
- Reduce the average disposition time (e.g., length of time a consumer spends in the emergency department pending medical clearance and/or transfer to a psychiatric facility) by 50% of current NCMHP disposition time.
- Reduce psychiatric inpatient admissions by 20% to 50%.
- Serve a minimum of 1,257 clients and/or client billing days per fiscal year.

The most recent data the Jury received related to Crestwood performance was from 2021.

QVMC-ED

If the CSU has cause for concern that the patient may require medical treatment they will send the patient to the QVMC-ED for medical clearance. Approximately 12% of the CSU’s patients are sent to the QVMC-ED for medical clearance. If the CSU is on diversion or the individual in a mental health crisis has an excluded medical condition, these patients are also typically brought or sent to the QVMC-ED.

The QVMC-ED treats approximately 3,000 patients with a psychiatric diagnosis per year including approximately 600 psychiatric hold (5150) patients. Some of these patients are sent from the CSU for medical clearance and then sent back to the CSU. It is not uncommon for the CSU to enter diversion before patients receiving medical clearance can return from the QVMC-ED. Some of the psychiatric patients are presented directly to the QVMC-ED by peace officers due to the CSU being on diversion or excluded from CSU treatment. And some of the QVMC-ED patients are placed on a psychiatric hold after they have arrived via EMT or walk-in.

The QVMC-ED is not designated by the County – and does not seek designation – as a Lanterman-Petris-Short Act (LPS) facility. This designation is required to provide mental health crisis evaluation and treatment for an individual on a 5150 hold.

The QVMC-ED's focus is to provide acute medical care, which does not include mental health treatment. The hospital lacks the capabilities to treat a patient in a mental health crisis and cannot provide inpatient psychiatric treatment. No emergency room provides a calming and de-escalating environment. Furthermore, emergency rooms are not designed for multi-day stays. Nonetheless, a material number of individuals in crisis end up in the QVMC-ED who cannot be sent to the CSU despite being medically cleared.

When a patient cannot be transferred to the CSU, the QVMC-ED must scramble to find an alternative and appropriate mental health facility that will accept the patient. Such facilities are limited, particularly in Napa County, and are typically private institutions. The Jury heard anecdotes of stays in the QVMC-ED as long as 11 days before a destination could be found.

The QVMC-ED estimates that 1-2 of its 18 emergency room beds are occupied by mental health crisis patients on any given day. Additionally, the hospital must provide staff for 24 hour line-of-sight supervision of any 5150 patients, further diminishing resources available for acute medical care.

Patients on a 5150 hold are required to be re-evaluated every 24 hours. This re-evaluation may result in the 5150 hold being removed if the patient is no longer meeting the conditions of the hold. Only HHS, MRT and CSU are designated to remove 5150 holds; QVMC-ED staff cannot. If such staff is unavailable to visit the QVMC-ED to perform a timely assessment then a patient may inappropriately be held longer than necessary. The Jury has been told that designated staff is sometimes unavailable, particularly during non-business hours, leading to unnecessary utilization of QVMC-ED beds and resources.

Detoxification

Drug and alcohol abuse and homelessness are often correlated with mental health crises. Frequently, it can be difficult to discern if an individual in detox is in a mental health crisis or a drug or alcohol induced crisis. A detox period can be necessary prior to assessing and treating an individual for a mental health crisis. Individuals in the CSU are commonly going through detox.

The Crestwood contract stipulates they admit to the CSU any client appearing to have urgent or emergent psychiatric needs, except for a consumer who meets the following conditions:

- Has an acute medical condition (in addition to the urgent/emergent psychiatric condition) that requires immediate attention and amelioration before psychiatric stabilization can be safely undertaken.
- Is intoxicated, because of ingested alcohol or other drugs ("AOD"), to a degree that

renders the consumer unable to participate meaningfully in the process of psychiatric stabilization and whose physical health would be endangered by the lack of medical detoxification capability of the CSU.

The County contracts with an outside agency to run a substance abuse treatment facility that includes detox services. As of the Spring 2023, the outside agency canceled its contract with the County. The County is in the process soliciting bids for this service going forward.

Adventist Health

Adventist Health operates two local facilities that offer mental health treatment. Its Saint Helena hospital has 37 inpatient mental health beds, while its Vallejo facility operates 61 such beds. The Jury found that these Adventist Health facilities are lightly utilized by law enforcement, the CSU, and QVMC-ED.

The Sheriff's Office will take a limited number of individuals in mental health crises in north Napa County to the Saint Helena hospital. In the 13 month period ending January 31 2023, the Adventist Health facilities received seven psychiatric patient referrals from the QVMC-ED and admitted six. Over the same time period, they received 34 referrals from the Crisis Center and admitted 22.

Data Quality

Overall data quality in mental health services appears to be poor. The Rand Corporation report Adult Psychiatric Bed Capacity, Need and Shortage Estimates in California - 2021 stated "Our analysis and conclusions contain numerous caveats, in large part because of poor data quality." The Rand Corporation goes on to make a strong plea for better data quality to allow for a "precise and sensitive system for tracking the impact of investments that seek to address psychiatric bed shortages." The Rand Corporation commentary on data quality was not specific to Napa County, however the Jury found the quality and completeness of Napa County data wanting.

FINDINGS

The 2022-2023 Napa County Grand Jury found that:

F1. The mental health crisis needs of Napa County are not being fully met, despite the existence of the CSU and Mobile Response Team and the efforts of their teams.

F2. The CSU's capacity constraints and exclusionary policies limit the CSU's ability to treat all individuals in need of mental health crisis services.

F3. The CSU capacity to treat individuals in mental health crises is reduced by clients being treated that more appropriately need detox services.

F4. Individuals in mental health crises on a 5150 hold who cannot get into the CSU are usually diverted to the Emergency Department of the Queen of the Valley Medical Center which is not staffed or designed to provide comprehensive mental health crisis treatment.

F5. Individuals in mental health crises who are diverted to the Emergency Department of the

Queen of the Valley Medical Center reduce the hospital's capacity to treat medical emergencies.

F6. Individuals in a mental health crisis often also have substance abuse, medical, and/or homelessness issues. County services to meet these needs are fragmented resulting in individuals often not getting the services they need.

F7. The Mobile Response Team is often unavailable for mental health crises that occur outside normal business hours, resulting in the overuse of law enforcement, the CSU and the Queen of the Valley Medical Center Emergency Department.

F8. Data on mental health crises in Napa County made available to the Jury was fragmented and incomplete.

F9. The Crestwood contract is not an accurate representation of the duties being performed, and the performance outcome metrics don't align with the reporting required by the funding grant.

RECOMMENDATIONS

The 2022-2023 Napa County Grand Jury recommends that:

R1. By December 1, 2023, HHS quantify the needed additional mental health crisis beds to meet the County's mental health crisis needs and implement a plan to secure them.

R2. By December 1, 2023, HHS establish a capability for individuals in need of detox to be directly treated at a detox facility and not the CSU.

R3. By December 1, 2023, HHS establish a capability and policy such that individuals who are in a mental health crisis and medically stable only be treated at regional facilities where they can receive mental health treatment.

R4. By October 1, 2023, HHS take leadership to coordinate all regional resources to provide a more comprehensive and integrated capability for treating individuals in a mental health crisis. Providers minimally to be included are Providence Queen of the Valley Medical Center, Adventist Saint Helena Hospital/Adventist Health Vallejo Center for Behavioral Health, CSU, law enforcement, and California State Hospital - Napa.

R5. By October 1, 2023, HHS designate one or more appropriate Providence professionals the authority to lift a 5150 hold at the Queen of the Valley Medical Center.

R6. HHS publish in their Annual Report metrics on mental health crises in Napa County, which minimally includes the number of all 5150s, individuals treated by the MRT and CSU, and individuals diverted and excluded from the CSU.

R7. By December 1, 2023, HHS establish a plan for 24/7 staffing for either the Mobile Response Team or embedded resources within law enforcement.

R8. By June 30, 2024 contract renewal date for the Crestwood Contract, HHS ensure the contract is an accurate reflection of duties and performance required.

REQUIRED RESPONSES

The following responses are required and requested pursuant to Penal Code Sections 933 and 933.05:

From the following county officials within 90 days:

- Board of Supervisors - (F1, F2, R1), (F3, R2), (F4, R3), (F1, F2, F3, F4, F5, F6, R4), (F4, F5, R5), (F8, R6), (F7, R7), (F9, R8)

From the following county officials within 60 days:

- Director HHS - (F1, F2, R1), (F3, R2), (F4, R3), (F1, F2, F3, F4, F5, F6, R4), (F4, F5, R5), (F8, R6), (F7, R7), (F9, R8)

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.



**NAPA COUNTY GRAND JURY
2022-2023**

JUNE 21, 2023

**NAPA COUNTY GROUNDWATER
MANAGEMENT**

***“WHEN THE WELL IS DRY,
WE KNOW THE VALUE OF WATER”
-BENJAMIN FRANKLIN***

SUMMARY

Over the past several years, Napa County and the rest of California have been confronted by one of the most significant and prolonged droughts in recent history. This has resulted in diminished stores of surface water in reservoirs, and has increased the dependence on groundwater to provide for agricultural, industrial, and residential needs.

Despite increases in rain and snow in 2022-2023, experts agree that Napa County will need to continue to confront the issue of drought. In coming years, Napa County residents and the agricultural industry will increasingly rely on groundwater for access to water. It is critical that we protect groundwater reserves for the future health of Napa County's farms, cities, residences and environment.

Groundwater is the water located in the pores and spaces between rock and soil particles. It is a vital resource for human consumption, irrigation (domestic and agricultural), and industrial use. Groundwater accounts for about 40% of the water used in normal years and up to 60% of water used during droughts.¹ Groundwater comes from rain, snow, and other forms of precipitation that percolates through soil and rock layers. Groundwater is stored in aquifers which are located in underground layers of rock and sediment which hold and transmit water.

The amount of water that can be responsibly withdrawn from an aquifer depends on its recharge rate which is the rate that groundwater is replenished by precipitation and surface water sources. Groundwater sustainability refers to the ability of an aquifer to maintain its quantity and quality over a long period of time. It involves managing and using groundwater resources in a way that ensures they are available for current and future generations. Sustainability is increasingly important due to growing population, and increased demand for water resources.

Overuse of groundwater can lead to depletion of aquifers which can cause land subsidence, saltwater intrusion, and decreased water quality, each of which reduces water availability. Land subsidence can result in significant damage to buildings, roads, and utilities infrastructure. Over pumping of groundwater can also result in decreased potable water quality due to the concentration of contaminants, such as boron and other elements. Depletion of aquifers can also allow salt water intrusion into groundwater for areas adjacent to sea water.

To achieve groundwater sustainability, it is necessary to balance the demand for groundwater with the natural recharge rates of the aquifer. This can be done through various management strategies, such as implementing water conservation measures, increasing the efficiency of water use, promoting the use of alternative water sources, education and training of the agricultural workforce, and implementing regulations to limit groundwater extraction. There is a need for a coordinated and unified approach to achieve effective and efficient sustainable groundwater management. A countywide water management agency will support a collaborative approach involving

¹ CA State Water Board (www.waterboards.ca.gov)

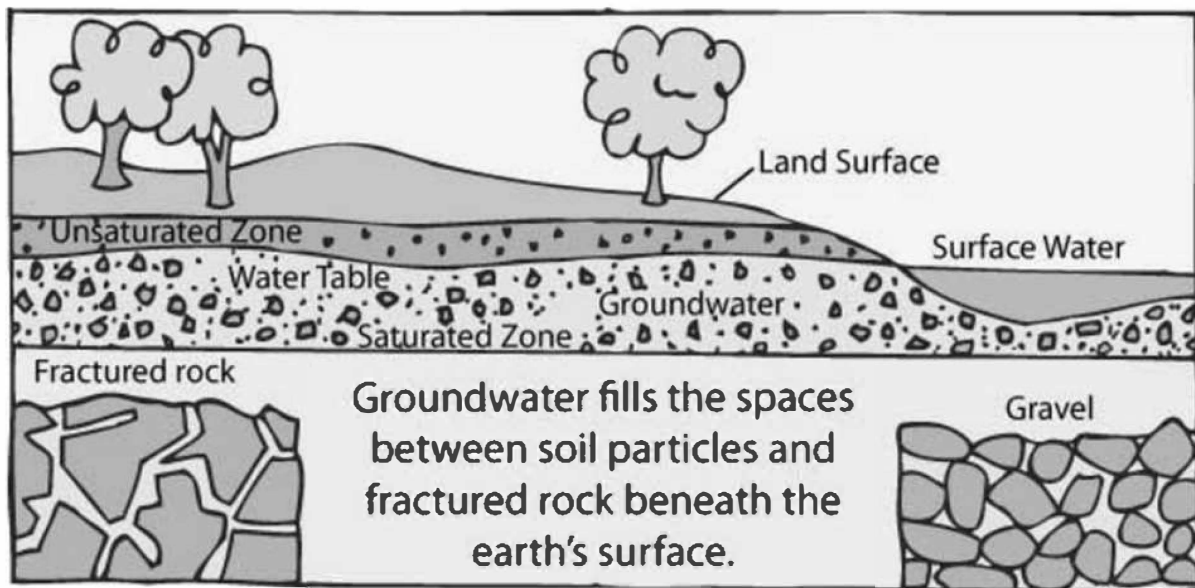
government agencies, water users, and other stakeholders. By working together to manage and protect groundwater resources, we can assure its availability for future generations.

The Jury believes there is a need to better understand the County’s groundwater sustainability and recommend actions to address the topic. For these reasons, the Jury chose to investigate the use, monitoring, and management of groundwater in Napa County.

BACKGROUND

Intermittent drought has plagued California for over 40 years. Although the 2022-2023 series of storms has helped, periods of drought are expected to continue. Drought conditions to stress all water sources including groundwater, reservoirs, rivers, and streams. Groundwater, stored in aquifers,² is the major source of water for Napa’s agricultural industry. Years of drought coupled with over pumping depletes aquifers.

The diagram below shows the relationship between groundwater (aquifers) and surface water (rivers and streams). (Graphic from The Groundwater Foundation):



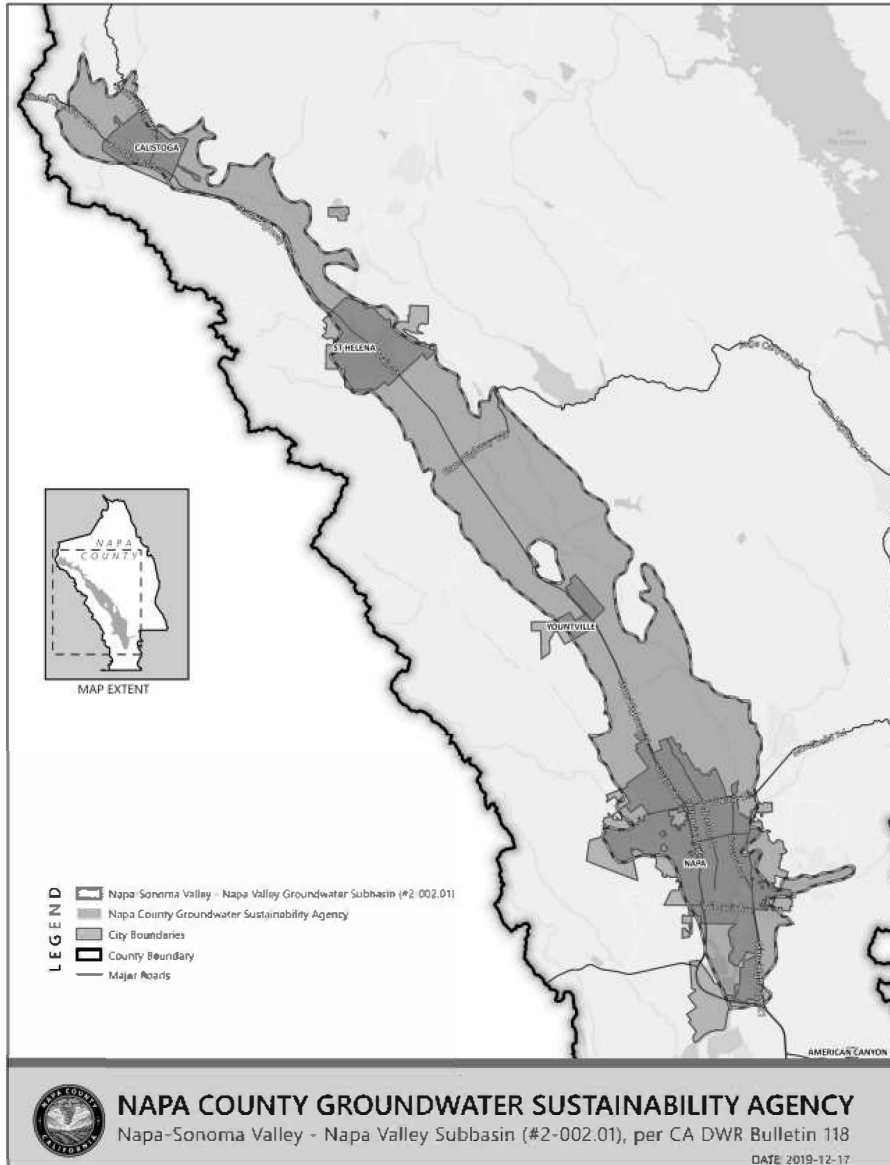
The California Legislature passed the Sustainable Groundwater Management Act in 2014 (SGMA).³ The SGMA is designed to avoid undesirable results and mitigate overdraft within 20 years. Napa County’s largest subbasin, encompassing most of the Valley floor (Calistoga to Soscol Crossing), was identified by the SGMA as a medium priority aquifer.

The medium priority designation required the Board of Supervisors (BOS) to implement a Groundwater Sustainability Plan (GSP) and a Groundwater Sustainability Agency (GSA). The GSP has been written and accepted by the Division of Water

² Underground layers of rock and sediment that hold and transmit water.

³ AB 1739 (Dickinson), SB 1168 (Pavley), and SB 1319 (Pavley)

Resources (DWR). County officials are well aware that water deficiencies are detrimental to the County’s residents and the wine industry.



GLOSSARY / ACRONYMS

Glossary

- The 71.8 square-mile **Napa Valley Subbasin** sits in the larger 426 square-mile Napa River watershed and underlies Calistoga, St Helena, Yountville, and Napa. The extent of the Napa Valley Subbasin generally aligns with the floor

of the Napa Valley. The subbasin consists of sediments that have been eroded from the surrounding mountains and deposited by the Napa River over millions of years. These sediments are permeable – they can soak up and hold a lot of water. The sediments are shallow near the base of the nearby hills and in the Calistoga area. The sediments can be up to several hundred feet thick in the center of the valley. Beneath these sediments lie older bedrock.

- An **acre-foot** is 325,851 gallons, a volume that would cover a one acre area at a depth of one foot.
- **Drawdown** is the reduction of a hydraulic water level in an aquifer compared to the normal static level prior to pumping.
- **Napa County PBES categories for wells:** Domestic Irrigation, Domestic Irrigation Public, Industrial Irrigation, Irrigation Agriculture, Irrigation Domestic, Irrigation Industrial, Irrigation, Irrigation Public, and Irrigation Landscaping.

Acronyms

- BOS, Board of Supervisors
- DWR, Division of Water Resources
- GSA, Groundwater Sustainability Agency
- GSP, Groundwater Sustainability Plan
- LAFCO, Local Agency Formation Commission
- PBES, Napa County Planning, Building, and Environmental Services Department
- RCD, Resource Conservation District
- SGMA, Sustainable Groundwater Management Act
- TAG, Technical Advisory Group

METHODOLOGY

The Grand Jury interviewed personnel from the following sources:

- Napa County Planning, Building and Environmental Services
- Napa County Resource Conservation District
- Napa County Groundwater Sustainability Agency and Advisory Committee
- City of Napa Water Department
- City of St Helena Public Works Department
- Napa County Farm Bureau
- Napa County Groundwater Advisory Committee
- Napa County Groundwater Technical Advisory Group
- Napa Green LLC
- Napa Valley Grapegrowers
- Save Napa Valley Foundation
- A well driller with many years of experience drilling and maintaining wells in

Napa County

- A vineyard manager who manages multiple vineyards in and outside of Napa County
- A geologist who has worked with Napa County on groundwater issues

Documents Reviewed

- Organization Chart for Napa County Public Works
- Documents produced by the State of California and County of Napa
- California Senate Bill 1739, SB1319, and Assembly Bill 1178 which were combined to form California’s Sustainable Groundwater Management Act (SGMA)

- Napa County Groundwater Sustainability Annual Report - Water Year 2021 (published in March 2022)
- Napa County Groundwater Conservation Ordinance
- Napa County Groundwater Sustainability Plan
- Napa County Title 13
- Reports on groundwater issues from Luhdorff & Scalmanini Consulting Engineers
- Several recent Bay Area County Grand Jury Reports on Groundwater issues
- LAFCO Executive Summary October 31, 2022
- Napa County Well Permit Standards and WAA Requirements January 6, 2023
- Water Availability Analysis (WAA), Adopted 2015 by Napa County Board of Supervisors

Web Page Searches

- Napa County Public Works Department
- Napa County Planning, Building and Environmental Services
- Groundwater Resources Advisory Committee
- Groundwater Foundation
- Groundwater Sustainability Agency
- Napa County Resource Conservation District
- Map of the Napa Valley Subbasin
- California Water Board
- Articles on Groundwater from the Napa Valley Register
- Water Education Foundation.org

DISCUSSION

Drought Impact on Napa Valley Groundwater

On March 30, the US Drought Monitor⁴ declared the drought over in many parts of California, including Napa County. However, the impact of drought remains a major concern as it leads to depleted aquifers from over pumping and lack of replenishment. Limited conservation adds to the problem. Efforts to mitigate negative drought outcomes have been taken by the California State Legislature and Governor including

⁴ National Drought Mitigation Center, University of Nebraska at Lincoln/NOAA/USDA

the 2014 Sustainable Groundwater Management Act (SGMA). Seventy-two percent (72%) of Napa County’s water is consumed by agriculture, 15% for industrial/landscape, and the remaining 13% for residential.⁵

Napa Subbasin and Sustainability Efforts

Napa County’s largest subbasin⁶ encompassing most of the valley floor (Calistoga to Soscol Crossing) has been deemed a medium priority basin by SGMA. This designation requires Napa County to form a Groundwater Sustainability Agency (GSA) and then create a Groundwater Sustainability Plan (GSP) to avoid undesirable consequences and mitigate excessive drawdown within the next 20 years. The Board of Supervisors appointed themselves as the GSA.

A committee consisting of representatives from the wine industry, environmental and agricultural groups, and interested citizens was appointed by the GSA to develop the plan. The initial GSP was rejected by the State; a revised GSP was submitted in January 2022. This second GSP was approved in February 2023 by the State Division of Water Resources (DWR) as the minimum standard for management of Napa County’s groundwater⁷. A Technical Advisory Group (TAG), consisting of experts in the field has been formed to support the GSA and the GSP.

A better understanding of the effects of pumping, as well as the use of groundwater, is needed to implement the plan. Currently, there are six public and a limited number of private wells being used for groundwater monitoring. The true amount of drawdown is not fully known due to incomplete monitoring. The County is in the process of installing six additional public wells to gather more data.⁸

Vineyard irrigation has become standard practice over the past 45 years. Inefficient irrigation practices have led to overwatering of up to 25 percent in many vineyards. Organizations such as the Resource Conservation District (RCD), Napa Green, and the Vintner’s and Grape Grower’s Associations recommend better training for vineyard managers and field workers in efficient water usage. The Grand Jury was unable to obtain statistics for water usage on properties owned by large corporate entities. There are current technologies that can determine the amount of water a vine needs to thrive. This type of assessment can be made through satellite or handheld devices. These techniques seem to be independent approaches and not standard practice.

New Pumping Standards

Title 13 of the Napa County Code has set standards for water use per acre for vineyard plantings, requiring a maximum of 0.3 acre feet per acre of planted vines. This standard is for water from newly permitted wells. The 0.3 allocation will also apply to all replanted acreage. There are wells permitted for domestic use that are also

⁵ County staff and consultant interviews

⁶ See Glossary for this subbasin.

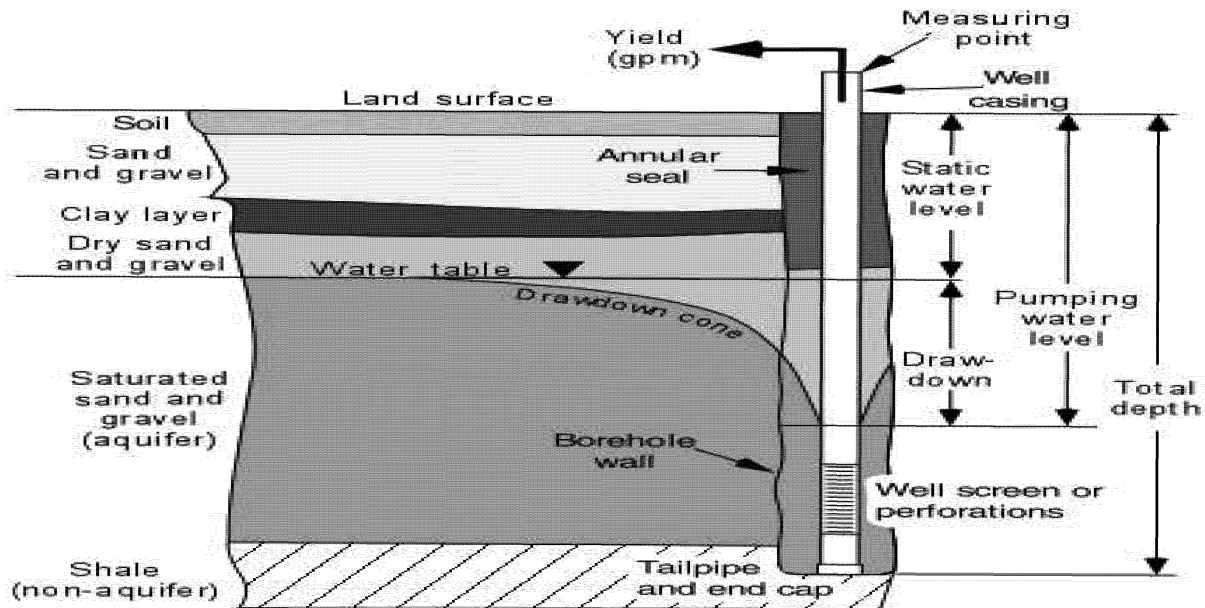
⁷ See DWR approval document

⁸ County staff interview

supplying agricultural/winery needs.⁹ The County does not investigate these mixed-use wells unless there is a citizen complaint.¹⁰

Well Issues

The graphic below shows the different parts of a well and how it interacts with the water table which is the Aquifer. It shows how draw-down is measured compared to the static level of water within the Aquifer. (Google Images)



Now that the GSP has been accepted, the County plans to add staff to manage it.¹¹ Representatives from conservation groups and industry associations agreed more staff is needed to monitor existing wells.

Wells in Napa County date back to the 1800's but permitting was not required until the 1950's. There is imprecise data available indicating the exact number of wells within the County. It has been documented that wells affect streams, rivers and adjacent wells if located too close to a new bore hole.¹² Well depth can affect other wells in the immediate area. Drawdown and well depth have the greatest effect on an aquifer's health.

Over the past few years, there have been reports of domestic well failure in Napa County causing homeowners to truck in potable water during summer months.¹³ Hydrologists have found the pace of groundwater depletion in California accelerates dramatically during drought years. Interviews revealed overuse of surface and groundwater has caused diminished flow in streams and rivers, including the Napa River. Increased agricultural, industrial and residential pumping has drawn down aquifer levels to new lows, threatening to severely impact underground water

⁹ County staff interview

¹⁰ Ibid

¹¹ Ibid

¹² Industry representative interview

¹³ County staff interview

reserves.¹⁴ The Milliken, Sarco, and Tulocay Basin (MST) east of the City of Napa has been deemed a groundwater deficient area.¹⁵

The proliferation of storage tanks has increased aquifer depletion.¹⁶ There are no restrictions as to how many tanks a parcel may have or how they may be used.

There is uncertainty regarding the actual number of wells in Napa County. Per PBES data there are an estimated 11,470 wells with unclear designations.

Administrative Issues

The well permitting process can be long and arduous, prompting complaints from vintners, well drillers, ecologists, and property owners. Changes in regulations and management of permits have not been well communicated by the Planning Department Staff. Each permit request is assigned to an individual planner who compiles the information and communicates with the applicant; however, this information is not easily accessible to the applicant or the public.¹⁷

The County has nine different categories¹⁸ of wells which do not clearly define how the water is used.

Napa County has 14 public and 20 private water districts serving cities, towns, and unincorporated areas.¹⁹ Several groups, including LAFCO, have suggested the formation of a county wide water agency. A unified agency would coordinate the operations of all districts, including those providing recycled water for agricultural and landscaping irrigation. This agency would provide future planning, integrated information repository, and drought mitigation. Surrounding counties including Marin, Sonoma and Solano have countywide water agencies.

Napa County's five urban areas get their water from five separate water sources: local reservoirs, wells, and State aqueducts which draw from the Sierras and major rivers. The State systems have been struggling as well as some of our Cities such as American Canyon and St Helena during times of drought. There is no uniform approach toward sharing of resources which also supports the need for a unified agency across the County.

FINDINGS

F1. Napa County officials do not know the number, location, or capacity of groundwater wells and storage tanks in the County.

F2. Despite the 2022-2023 storms, drought is still a concern in Napa County.

¹⁴ Napa County Groundwater Sustainability Annual Report - Water Year 2021 (published in 2022)

¹⁵ 2014-2015 Grand Jury Report

¹⁶ County staff interview

¹⁷ County staff interview

¹⁸ See Glossary

¹⁹ LAFCO Municipal Service Review (2020)

F3. Napa County does not have an umbrella water agency to coordinate, oversee, and set policy for its 14 public and 20 private water districts.

F4. Groundwater over pumping can lead to land subsidence, salt water intrusion, decreased water quality, and depletion of aquifers.

F5. Education of vineyard and winery owners, vineyard managers, farmworkers, wine production employees, landscapers, and residential users, is critical for improved groundwater management.

F6. Government, wine industry, and environmental groups do not consistently collaborate on groundwater management issues.

F7. The County permitting process is inconsistent, inefficient, and confusing to applicants seeking groundwater well permits.

F8. The GSA has only just begun to address groundwater issues via the GSP. However, most public and private groups and agencies feel the plan needs to be implemented as soon as possible.

RECOMMENDATIONS

The Grand Jury recommends that:

R1. By December 31, 2023, the Board of Supervisors will fill current gaps in groundwater usage data by expanding groundwater monitoring in key locations and initiate and enforce procedures to enhance data collection from agricultural and residential users.

R2. By June 30, 2024, the Board of Supervisors in conjunction with all 14 public and 20 private water districts consider creating a single County-wide agency to oversee groundwater management.

R3. By December 31, 2023, the Board of Supervisors will create and implement a plan to increase awareness of groundwater preservation strategies through the education of winery and vineyard owners and managers, farmworkers, landscapers, and residential users.

R4. By June 30, 2024, the Napa County Planning Department will enable more effective communication with applicants during the permitting process.

R5. By June 30, 2024, the Napa PBES research and communicate to the GSA the number of new or upgraded wells, their output, and the number of storage tanks.

REQUIRED RESPONSES

Pursuant to Penal Code sections 933 and 933.05, the Grand Jury requests responses as follows:

- Napa County Board of Supervisors, F1, F2, F3, F4, F5, F6, F7, F8, R1, R2, R3
- Napa County Planning, Building and Environmental Services Department, F1, F2, F3, F4, F5, F6, F7, R4

INVITED RESPONSE

- Napa County Resource Conservation District, F2, F5, F6, R2

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.



A Tradition of Stewardship
A Commitment to Service

2022-2023 Napa County Grand Jury

Continuity Report March 24, 2023

Summary and Analysis of Responses from 2021-2022 Napa County Civil Grand Jury

Analysis of 2021-2022 Napa County Civil Grand Jury Reports

Report - Fire on the Mountain

Findings	5
Recommendations	3
Recommendations implemented	1 (33%)
Recommendations not implemented but will be	1 (33%)
Recommendations require further study	0 (0%)
Recommendations not implemented - not warranted	0 (0%)

Report - Equal Justice for All

Findings	7
Recommendations	1
Recommendations implemented	0 (0%)
Recommendations not implemented but will be	0 (0%)
Recommendations require further study	1 (100%)
Recommendations not implemented - not warranted	0 (0%)

Report - Napa County Animal Shelter

Findings	5
Recommendations	5
Recommendations implemented	1 (20%)
Recommendations not implemented but will be	1 (20%)
Recommendations require further study	2 (40%)
Recommendations not implemented - not warranted	1 (20%)

Report - Napa County's Climate Action Committee

Findings	5
Recommendations	5
Recommendations implemented	1 (20%)

Recommendations not implemented but will be	0 (0%)
Recommendations require further study	0 (0%)
Recommendations not implemented - not warranted	4 (80%)

Report - Community Development Department

Findings	8
Recommendations	6
Recommendations implemented	6 (100%)
Recommendations not implemented but will be	0 (0%)
Recommendations require further study	0 (0%)

Report - Attaining our Broadband Future in Napa County

Findings	16
Recommendations	5
Recommendations implemented	0 (0%)
Recommendations not implemented but will be	4 (80%)
Recommendations require further study	1 (20%)
Recommendations not implemented - not warranted	0 (0%)

Report - COVID Vaccinations in Napa County

Findings	14
Recommendations	9
Recommendations implemented	2 (22%)
Recommendations not implemented but will be	2 (22%)
Recommendations require further study	3 (33%)
Recommendations not implemented - not warranted	2 (22%)

Report - Homelessness: Much is Being Done - More is Required

Findings	9
Recommendations	9
Recommendations implemented	4 (44%)
Recommendations not implemented but will be	4 (44%)

Recommendations require further study	1 (11%)
Recommendations not implemented - not warranted	0 (0%)

Report - Adult Probation Final Report

Findings	9
Recommendations	5
Recommendations implemented	0 (0%)
Recommendations not implemented but will be	4 (80%)
Recommendations require further study	0 (0%)
Recommendations not implemented - not warranted	1 (20%)

Report - Napa County Juvenile Hall

Findings	6
Recommendations	7
Recommendations implemented	0 (0%)
Recommendations not implemented but will be	6 (85%)
Recommendations require further study	0 (0%)
Recommendations not implemented - not warranted	1 (15%)

Report - The Napa County Airport

Findings	16
Recommendations	5
Recommendations implemented	1 (20%)
Recommendations not implemented but will be	1 (20%)
Recommendations require further study	0 (0%)
Recommendations not implemented - not warranted	3 (60%)

Report - Sidewalks (2019-2020) Compliance Report

Findings	6
Recommendations	5
Recommendations implemented	5 (100%)
Recommendations not implemented but will be	0 (0%)

Recommendations require further study	0 (0%)
Recommendations not implemented - not warranted	0 (0%)

Review of Responses to the 2021-2022 Grand Jury Reports

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. Section 933.05 specifies the way the responding parties are to make their responses. The 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 reason, therefore.

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, therefore.

The 2021-2022 Napa County Grand Jury issued its Consolidated Report on June 30, 2022. The report consisted of 12 individual final reports. One of which was a review of the responses to the 2019-2020 Grand Jury reports.

METHODOLOGY

The 2022-2023 Grand Jury evaluated responses to the 2021-2022 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 the 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 respondent shall specify the portion of the finding that is disputed and shall include an explanation of the reasons, therefore.

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

***Disclaimer:** The 2022-2023 Grand Jury has included what it believes to be the pertinent responses in an effort to highlight for the reader the key points. This Grand Jury also made a collective effort to edit original selected text in both the 2021-2022 Grand Jury reports as well as the responses from county offices with the sole intention of increased readability (e.g., formatting and spelling errors). Any edits were carefully reviewed by the Grand Jury to ensure the content and message of the text was maintained.*

DISCUSSION

Timelines Review of Responses 2021-2022 Publishing and Due Dates

Details of the 2021-2022 publishing dates and due dates are shown below.

- *Equal Justice for All* published May 31, 2022. Responses required from the District Attorney and Office of Public Defender, Received from District Attorney June 6, 2022. Received from Office of Public Defender July 10, 2022.
- *Compliance and Implementation Report – Sidewalks*. Published May 31, 2022. Responses required from Napa City Council and Mayor of Napa received August 16, 2022.
- *Under the Radar, The Saga to Bring Napa’s Airport into the 21st Century*. Published June 21, 2022. Required responses received from the Board of Supervisors, the CEO, June 21, 2022. Required response from the County Auditor received August 2, 2022.

- *Napa County Adult Probation Department*. Published June 15, 2022. Required responses received from the Board of Supervisors and the Chief Probation Officer, October 14, 2022.
- *Homelessness: Much is Being Done – More is Required*. Published June 14, 2022. Required responses received from The Board of Supervisors, The CEO, Housing, and Corrections September 14, 2022.
- *COVID Vaccines in Napa County*. Published June 13, 2022. Required responses from The Board of Supervisors, The CEO, Public Health Department, and Emergency Services Department received, October 14, 2022.
- *Napa County's Climate Action Committee: Where's the Action?* Published June 13, 2022. Required responses: Yountville, received, August 2, 2022. Napa received August 24, 2022. American Canyon received September 1, 2022. The Board of Supervisors, received August 9, 2022. The Climate Action Commission received August 9, 2022.
- *Attaining our Broadband Future in Napa County*. Published June 13, 2022. Required response received from The Board of Supervisors and the CEO, October 14, 2022.
- *Napa County Juvenile Hall- Good Facility. Dysfunctional Governance. Unused Beds. Outdated Program*. Required responses from The Board of Supervisors, The Juvenile Justice Commission, and Juvenile Hall Council, received June 21, 2022. The Napa County Office of Education, replied on August 1, 2022.
- *Fire on the Mountain*. The Closure of Old Howell Mountain Road. Published May 31, 2022. Required responses from The Board of Supervisors and the CEO, received October 14, 2022.
- *Napa County Animal Shelter*. Published May 31, 2022. Required responses from The Board of Supervisors, Department of Public Works, and The Office of the Sheriff received August 9, 2022.
- *City of Napa Community Development Department*. Published June 13, 2022. Required response The City Council received September 6, 2022.

Overall Report and Response Metrics

Total Number of Investigative Reports	11
Total Number of Compliance Reports	1
Total Number of Findings	110
Total Number of Recommendations	68
Total Number of Agencies Responding	26
Total Number of Responses to Recommendations	178

FINDINGS

F1. The City of Napa did not respond to R6 in the “Community Development” report.

REVIEW OF RESPONSES

For full reports and responses go to:

<https://www.napa.courts.ca.gov/general-information/grand-jury/grand-jury-reports-responses>.

Napa County Animal Shelter

FINDINGS

F1. The Napa County Animal Shelter cares for approximately 150-200 animals every month. The shelter has the ability to quarantine animals, administer medications, isolate problem animals when necessary, and rehabilitate some animals demonstrating problematic behaviors.

The Director of Public Works disagrees partially with the finding. While the Animal Shelter has the ability to quarantine animals, this type of space is limited and the capacity to quarantine animals is situation-specific depending on breed and reason for quarantine.

The Board of Supervisors agrees with the Director of Public Works.

F2. Impounded or surrendered animals with significant behavioral problems create an immediate barrier to adoption or foster care. The Napa County Code requires that a pro-bono Animal Behaviorist attend to these problematic situations; this can be difficult and time-consuming to manage. During the Grand Jury’s visit to the shelter, several dogs were observed to be agitated inside their enclosures and were generally unapproachable due to the potential for injury.

The Director of Public Works disagrees partially with the finding. As it pertains to the statement that a pro-bono Animal Behaviorist must attend to problematic situations.

The Board of Supervisors agrees with the Director of Public Works.

F3. A dog with a feral nature must be offered to a non-profit organization for possible adoption.

The Director of Public Works disagrees partially with the finding. Prior to destruction (humane euthanasia) of any impounded or surrendered dog, cat, rabbit, regardless of health, injury, feral nature, or age, non-profit 501(c)(3) animal welfare organizations who have requested to be notified must be provided no less than forty-eight hours notification and the shelter must permit

release of such impounded or surrendered animal scheduled for humane euthanasia upon request from the non-profit animal welfare organization.

The Board of Supervisors agrees with the Director of Public Works.

F4. Socialization, including a mitigation plan to deal with the behavior problems of aggressive animals, may not be achievable given the obstacle of obtaining a pro bono behaviorist. This path is rarely viable since the time devoted to the animal is limited and may be insufficient to change the animal's behavior and make it suitable for adoption.

The Director of Public Works disagrees partially with the finding. *Napa County Code provides that staff may conduct behavioral evaluations.*

The Board of Supervisors agrees with the Director of Public Works.

F5. Shelter managers explained that the requirement for approval to euthanize animals must be obtained by a licensed veterinarian via a telephone consultation. This requirement can result in unintended consequences when a veterinarian's approval cannot be quickly obtained.

The Director of Public Works agrees with the finding.

The Sheriff agrees with the above responses from the Director of Public Works to all the findings.

The Board of Supervisors agrees with the Director of Public Works.

RECOMMENDATIONS

R1. In order to resolve animal behavior problems more rapidly, this Grand Jury recommends that the shelter secure a contract with a Certified Animal Behaviorist. This specialist would be asked to commit to a defined period of time each week/month to develop a program for each such animal that may ultimately lead to adoptability. In the contrary situation the behaviorist, with concurrence from a shelter supervisory person, may determine that no amount of behavior modification training will guarantee that an animal will be able to thrive in a home environment without the possibility of future aggression or unpredictable impulsive actions.

The Director of Public Works: *The recommendation has been implemented. Napa County entered into an agreement with an animal behaviorist on January 12, 2022.*

R2. The Ordinance currently states that two county personnel, neither of whom reports to the other, have the authority to euthanize animals after seven specific steps outlined in the Ordinance have been completed regardless of health, injury, feral nature, or age. An exception to these conditions should be made when the suffering cannot be relieved, i.e., irremediable suffering. In

this instance, this Grand Jury recommends that the two county personnel (a Shelter Attendant and the Shelter Manager) should have the authority to euthanize an animal without having completed these steps, if it has been determined that an animal is suffering needlessly. A ballot measure with voter approval would be required to expand this exception to include Animal Shelter staff. Shelter personnel are fully trained and competent to perform owner requested euthanasia; this Grand Jury recommends that they should have the authority to do so when necessary to relieve irremediable suffering.

The Board of Supervisors agrees with the response from the Director of Public Works.

The Director of Public Works agrees in part with the recommendation. The Director does agree that the Ordinance , adopted as Napa County Code 6.04.230, may create additional suffering for animals while Shelter staff obtain a determination of irremediable suffering from a licensed veterinarian.

The Napa County Sheriff agrees with the responses from the Board of Supervisors, and the Director of Public Works.

R3. **COMMENDATION:** The shelter personnel have a unique responsibility within Napa County governmental agencies. They must accommodate the needs of the public and provide shelter for animals sometimes under trying emotional circumstances. They are able to care for many species of animals besides dogs, cats, and rabbits, which are the focus of the Live Release Statistics. They have on occasion housed various birds, chickens, rodents, cattle, pigs, and horses particularly when a natural disaster occurs, such as recent wildfires.

R4. **COMMENDATION:** Shelter personnel seek to find alternatives for surrendered animals, such as non-profit animal welfare organizations able to adopt animals and locate foster homes, often a difficult task.

R5. **COMMENDATION:** Based on site visits and interviews with shelter personnel, two Animal Services officers, and two volunteers, the shelter has performed a very credible job in improving the Live Release outcomes while meeting Measure A requirements.

REQUEST FOR RESPONSES

REQUIRED RESPONSES

A response from the following governing body is requested within 90 days:

R2: Napa County Board of Supervisors

R1: Director, Napa County Public Works

INVITED RESPONSES

The following unelected local government officials are invited to respond:

Napa County Sheriff's Department, Undersheriff, Animal Services

Napa County Juvenile Hall

Good Facility, Dysfunctional Government, Unused Beds, Outdated Program

FINDINGS

F1. The overall governance for juvenile justice is fragmented and ineffective. The administration and staff at JH are dedicated to youthful offenders, those in JH and those on probation. The Juvenile Justice Coordinating Council [JJCC] is a body required by state law to receive certain juvenile justice state grant money. The Council is expected to allocate funds across the member entities sitting on the Council. Generally the funds go only to Probation. Neither the JJCC nor the JJC has addressed how Juvenile Hall's physical facility can be modified, remodeled, and repurposed to serve more probationary youth. Although the JJCC is tasked with providing necessary coordination and collaboration, they have not provided the active oversight and direction necessary to maximize the public investment in Juvenile Hall and probationary youth.

***The Chief Probation Officer disagrees partially with the finding.** The Chief Probation Officer agrees that the Juvenile Hall administration and staff are dedicated to youthful offenders both in the hall and those on probation and appreciates the Grand Jury's recognition of this. The Chief Probation Officer, however, disagrees with the remainder of the finding.*

F2. Inadequate documentation of probationary program experience. There are multiple paths through the three service systems for probationary youth. No case manager or data system tracks these program experiences. As a result of an inadequate data system, there is no way to tell how effective the different paths or programs may be, as recently noted by the State BSCC.

***The Chief Probation Officer disagrees partially with this finding.** While it is appreciated that having one data system to track all youth would be ideal, each agency providing services to youth must track their own data for mandated state reporting. To my knowledge, a single database with the capability of combining all data systems does not exist.*

***The Juvenile Justice Coordinating Council disagrees partially with this finding.** A coordinated data system would be ideal, but could be problematic due to confidentiality of juvenile records and health records. However, the Juvenile Justice Coordinating Council disagrees that there is no way to tell how effective the paths and programs are. In addition to multidisciplinary teams that meet to share information, the Juvenile Justice Coordinating Council also communicates and shares non confidential data among council members who are major stakeholders in providing services and protecting youth.*

***The Juvenile Justice Commission disagrees with this finding.** Based upon the information that the Juvenile Justice Council has been provided by Probation, Mental Health, the NCOE,*

Juvenile Hall Staff, and the youth, the agencies that provide services to the youth work very hard to provide a continuity of care for the youth in Juvenile Hall.

F3. Un-coordinated approach to service. From a case management perspective, probationary youth are supported by three different related, but currently un-coordinated, service systems: probation, education, and housing/homeless services. As a result, no one knows if probationary youth receive the services they legally deserve.

The Chief Probation Officer disagrees wholly with this finding. Probationary youth are served by a multitude of different agencies including probation, law enforcement, education, county mental health private mental health providers, providers of substance abuse, medical providers, community non-profit agencies, and regional centers as appropriate.

The Juvenile Justice Coordinating Council disagrees wholly with this finding. Many members of the Juvenile Justice Coordinating Council are part of the multidisciplinary teams that provide services to the Napa County probationary youth.

The Juvenile Justice Commission disagrees wholly with this finding. The Juvenile Hall facility has representatives of Napa County Mental Health , Napa County Health and Humans Services, and many other service agencies that regularly provide and coordinate services to detained youth.

F4. Reduced need for detention model. There are too few youth in need of Juvenile Hall's traditional detention model. A powerful design for NHA would be a better path forward for this facility and for the youth of Napa.

The Chief Probation Officer disagrees partially with the finding. There are too few youths in need of Juvenile Hall's traditional detention model. The decline in population has been the result of many factors including philosophical changes in legislation , and the implementation of evidence based practices that have provided tools that have been proven to reduce recidivism.

The Juvenile Justice Coordinating Council disagrees partially with this finding. The JJCC agrees that the focus of Juvenile Hall should be on rehabilitation and maximizing evidence based practices, vocational practices, independent living, and education. However, there is still a need for a secure detention model to safely house youth who commit violent crimes and need intensive services.

The Juvenile Justice Commission disagrees partially with this finding. As an advisory commission whose duty is to inquire into the administration of Juvenile Hall, we agree that legislatively and philosophically there is a shift towards more rehabilitative models of detention.

F5. Probationary youth need unused beds. Juvenile Hall has many unused beds, while many probationary Napa youth are homeless.

***The Chief Probation Officer disagrees wholly with this finding.** There are no youth currently on probation in Napa County who meet the standard definition of homelessness.*

***The Juvenile Justice Commission disagrees wholly with this finding.** We are not aware of any homeless probationary youth.*

***The Juvenile Justice Coordinating Council disagrees wholly with this finding.** We have been informed by Probation there are no probationary homeless youth.*

F6. Educational program in need of improvement. JH needs to develop a viable New Horizons Academy to serve a broader range of probationary youth. Crossroads needs a literacy program that permits social interaction about what is read; a computer-based program that focuses on individual interest with isolated youth does not do that. JH also needs to work with the county library to develop an educational program that teaches youth to use a sophisticated library system. In addition, JH needs to develop new occupational activities similar to those undertaken with the audio studio. Overall, adults involved in the education of youth in the probation system need to investigate how the agency, literacy, and real work features of the audio studio can be provided to all youth for whom they are responsible.

***The Chief Probation Officer partially disagrees with this finding.** The Juvenile Hall is already designing a new program within the Hall that was formerly called the New Horizon's program.*

***The Juvenile Justice Coordinating Council partially disagrees with this finding.** Members of the JJCC include representatives of the NCOE and Behavioral Health.*

***The Juvenile Justice Commission disagrees wholly with this finding.** As part of our annual inspection the JJC inspects the NCOE classrooms at Juvenile Hall, interviews teachers, and the youth about the education provided.*

RECOMMENDATIONS

R1. Under the leadership of its current chair or of a consultant hired for that purpose, the JJC, a state-mandated body, should generate a development program that expands its current understanding of the potential of its group for leadership for the juvenile justice system. The program should include, but not limited to, activities such as those listed below.

- a. Confirm with the State of California that the Commission is properly interpreting and applying state legal requirements
- b. Study websites presented by more active JJC's
- c. Report on activities broader in scope than their own
- d. Critique videos prepared to explain the functioning of JJC's
- e. Conduct Zoom interviews with outstanding leaders of other JJC's
- f. Consult with university researchers who focus on leadership for juvenile justice
- g. Sponsor training sessions organized by external organizations for JJC leaders
- h. Attend appropriate regional and State conferences

Response, Juvenile Justice Commission: *The recommendation has not yet been implemented but will be implemented in part.*

Response, the Board of Supervisors: *Agree with the Commission.*

R2. To ensure oversight and transparency the Napa County Board of Supervisors should direct the Juvenile Justice Coordinating Council (JJCC) to report to the Board of Supervisors on a regular schedule at public meetings of the BOS. The JJCC should add more public members, meet regularly as required by law, provide timely public notice of meetings with agendas, provide minutes, recorded video, and follow the requirements of the Brown Act.

Response, Chief Probation Officer: *The recommendation has been implemented in part.*

The Chief Probation Officer was appointed on January 8, 2022. Since that time , each meeting has been scheduled according to the provisions of the Brown Act including timely postings of agendas.

Response, Board of Supervisors: *the Board of Supervisors agrees with the Commission.*

Response, Juvenile Justice Coordinating Council: *This recommendation will be implemented in the next six months.*

Response, NCOE Superintendent: *The Napa County Superintendent is a member of the JJCC, which is administered by the Probation Department and Chaired by the Chief Probation Officer.*

Response, Napa County Board of Supervisors: *the Board of Supervisors agrees with the Chief Probation Officer.*

R3. The Napa County Board of Supervisors should direct the JJCC to inform the public about participation in JJCC meetings, in person and by remote means and about obtaining agendas, minutes and reports necessary for participation. The JJCC should redo its webpage to create greater transparency. The Grand Jury suggests studying the San Francisco JJCC webpage (link below) as a model of transparency. The webpage should accurately reflect its origin in the law

and its legal responsibilities and obligations. The webpage should also include the names and official contact information of JJCC members and provide a contact number and email for questions about meetings and how to become a member.

See <https://www.sfsuperiorcourt.org/divisions/ufc/justice-commission>
<https://sfgov.org/juvprobation/juvenile-justice-coordinating-council>.

Response, Chief Probation Officer: *The recommendation has not yet been implemented. The website upgrade will require assistance from other county departments and potentially contracted vendors to redesign the web page.*

Response, Juvenile Justice Coordinating Council: *This recommendation will be implemented within the next twelve months.*

Response, Juvenile Justice Commission: *This recommendation will not be implemented as it is unwarranted and unreasonable as to the JJC. JJC's are appointed as an advisory commission to and by the California Superior Courts. They are not subject to the Brown Act requirements for public meetings. (California Government Code): the Board of Supervisors agrees with the Chief Probation Officer.*

R4. Under the leadership of the Chief Probation Officer, the JJCC, the JJ Commission, and Napa County's CEO should collaboratively develop a strategy for an external group's comparison of the functionality of the existing CJNET homegrown system to a modified commercial-off-the-shelf(COTS)system in use for juvenile justice in other counties . With the goal of providing meaningful data analysis and analytics, including tracking programmatic experiences and effectiveness along with required state reports, while enabling data transparency, the external comparison should include at least the features named below.

- a. Cost, including staff time and licensing costs. The functionality of each; especially the data analytics function. Will the system require additional IT personnel interface for data analysis and report generation (as CJNet reportedly does now) or can staff manage the system without the need to rely on an external data analyst? In sum, what functions will be delivered at the user level?
- b. The relative times for development (acknowledging that any COTS system will likely need to be customized) and implementation of each system.
- c. The availability and cost of training of each system, relying on an external data analyst. In sum, what functions will be delivered at the user level?
- d. The relative times for development (acknowledging that any COTS system will likely need to be customized) and implementation of each system.
- e. The availability and cost of training of each system.

Response, Chief Probation Officer: *The recommendation has not been implemented but will be over the next two years.*

Response, Juvenile Justice Coordinating Council: *The recommendation will be implemented by the Chief Probation Officer in the next one - two years.*

Response, Juvenile Justice Commission: *The recommendation is inapplicable as the JJC is an advisory commission.*

Response, Napa County Board of Supervisors: *the Board of Supervisors agrees with the Chief Probation Officer.*

R5. The Chief Probation Officer should engage the JJCC, the Commission, and NCOE in the design, creation, and implementation of New Horizons Academy as a way to address excess Juvenile Hall capacity and the needs of a broader range of youth. The design should focus on the provision of additional services to probationary youth not requiring detention in a secure facility, but who would benefit from a supervised residential program with easy access to a comprehensive educational program and mental health services. Some of these needy youth may be homeless. The design should also focus on the beneficial features offered by the JH's audio studio.

Response, Chief Probation Officer: *The recommendation has not been implemented but will be in part with the design of the new program in the next year.*

Response, Juvenile Justice Coordinating Council: *The recommendation has not yet been implemented but will be implemented in the next two years.*

Response, Juvenile Justice Commission: *The recommendation is inapplicable as the JJC is an advisory commission.*

Response, NCOE Superintendent: *The recommendation has not been implemented. The excess capacity at Juvenile Hall is the result of a major change in the state's philosophy and procedures regarding juvenile offenders.*

R6. Leaders from the Office of Probation, from NCOE, and from the Napa County Library should meet to study programs in other counties and to develop an informal memo of understanding to outline how youth in JH will have full access to robust library services. The library program in Contra Costa County should be one of those studied.

Response, Chief Probation Officer: *The recommendation has not yet been implemented but will be implemented in the next year.*

Response, NCOE Superintendent: *The recommendation has not yet been implemented. NCOE initiated contact with the Contra Costa County Office of Education, which reports that the program is entirely run by the library, not the CCCOE.*

R7. The NCOE should recognize the Crossroads classroom as a unique planning unit within Camille Creek School and allow the Crossroads teacher the discretion to identify appropriate instructional programs, especially those for language literacy. NCOE should also provide the Crossroads classroom with necessary budgetary resources for the chosen programs, especially those for language literacy.

Response, NCOE Superintendent: *The recommendation will not be implemented as it is not warranted.*

REQUEST FOR RESPONSES

REQUIRED RESPONSES

The following responses, required pursuant to Penal Code sections 933 and 933.05, are requested from the Napa County governing board, elected county officials, and unit leaders.

- The Napa County Board of Supervisors: R1, R2, R3, R4
- The Napa County Chief Probation Officer: R2, R3, R4, R5, R6 § NCOE Superintendent: R2, R5, R6, R7
- Juvenile Justice Coordinating Council: R2, R3, R4, R5
- Juvenile Justice Commission: R1, R3, R4, R5

INVITED RESPONSES

The following individuals are invited to respond within 90 days:

- The Napa County CEO: R2, R3, R4
- Napa County Library Director: R6
- Superintendent of Juvenile Hall: R2, R4, R5, R6, R7

**City Of Napa
Community Development Department**

FINDINGS

F1. The City of Napa's Community Development Department's IT system is obsolete, does not meet current needs, and has contributed to delays in the review process.

The City of Napa agrees with the Finding

F2. A new IT system will be implemented by the city over the next 16-18 months starting in February 2022.

The City of Napa agrees with the finding. *The new system is provided by Tyler Technologies, is called Energov, and will greatly improve the services provided by the City through a more robust public interface and improved accessibility by City Staff and the public.*

F3. The contracts for the new IT system have been signed and the funds allocated. The CDD currently does not use the current IT system but in the future it will be integrated into the new IT system. The new IT system will be Tyler Intergov (sic) and is cloud based, which is a substantial advantage. This system will be integrated into all of the other city systems of the other departments that are involved in the application review process.

The City disagrees with some statements in this finding. *It should be noted that the City of Napa does currently have and regularly uses a software system called Trakit.*

F4. Most documents project applicants need to complete the CDD review process will be submitted and available online at full implementation of the new IT system. It will no longer be necessary to provide multiple copies of plans because all departments involved in the review process of projects will be able to access the same data online.

The City of Napa agrees with this finding.

F5. The CDD's application review process and general responsiveness to the public were adversely affected by the Covid pandemic.

The City of Napa agrees with this finding.

F6. Citizen groups often provide new information at the public meetings to the Planning Commission which can result in a delay of a project.

The City of Napa agrees with this finding.

F7. The Grand Jury believes that the CDD's fees are appropriate since they cover services not provided by other jurisdictions.

The City of Napa agrees with this finding.

F8. The absence of expertise in CDD regarding the renovation of historic sites means that some historic building project applications might not receive appropriate review.

The City of Napa disagrees with this finding. As stated above all potentially historic properties requiring special attention and/or review are listed on the City of Napa Historic Resources Inventory list (HRI). This list is also a data point that is “tagged” to each parcel within Trakit, shown as a special sensitivity needed should there be a building permit or other application made for an HRI property. Utilizing the Secretary of Interior Standards and local requirements, staff evaluates a proposal for consistency. Larger more complex projects will involve contract specialists to assist staff and the Cultural Heritage Commission with the necessary evaluation.

RECOMMENDATIONS

R1. The Grand Jury recommends that management fast track the implementation of the Tyler Intergov Information System and encourage CDD’s employees in their training and use of the new system.

This recommendation has already been implemented.

R2. The City should designate a project manager to have oversight over the review process for plans as they move through departments and oversee the timeframe to increase efficiency.

This recommendation has been implemented.

R3. The City should develop an historic buildings resource database and integrate it into its new IT system.

This recommendation has been implemented.

R4. The Grand Jury suggests that the Planning Commission and the City Council meet yearly to discuss future growth and development issues.

This recommendation has been implemented.

R5. The Community Development Department should educate the public about the Napa City fee structures to make clear that they include services that are not offered by other cities.

This recommendation has been implemented.

R6. The Grand Jury recommends that the CDD either designate a planning staff member or contract with a consultant who specializes in historic preservation.

There was no response from the Board of Supervisors

REQUEST FOR RESPONSES

REQUIRED RESPONSES

The following responses are required pursuant to Penal Code sections 933 and 933.05:

- The Napa City Council: F1-F7, R1-R6

INVITED RESPONSES

- The Napa City Community Development Director: F1-F7, R1-R6
- The Napa City Manager: F1-F7, R1-R6

Napa County’s Climate Action Committee: Where’s The Action?

FINDINGS

F1. The Climate Action Committee has not been effective in developing and implementing actions for county -wide programs to combat climate change.

***Napa County Response:** The Director of Planning, Building, and Environmental Services respectfully disagrees with this finding, as it pertains to the County. The Grand Jury does not define by what standard the Climate Action Committee would be effective, or how the Committee has performed compared to that standard. The comment is an unsubstantiated opinion, rather than a reasoned finding. The Board of Supervisors agrees with the Director of Planning, Building and Environmental Services.*

***City of Yountville Response:** The Town Council respectfully disagrees with this finding. The Grand Jury does not define by what standard the Climate Action Committee would be effective, or how the Committee has performed compared to that standard. The comment is an unsubstantiated opinion, rather than a reasoned finding.*

***City of Napa Response:** The City of Napa disagrees with the finding. Developing county-wide programs to reduce greenhouse gas emissions is a process. The Climate Action Committee is following the same process as is taken by the Sonoma Regional Climate Protection Authority, which is cited several times by the Grand Jury as the model that should be followed.*

***St. Helena Response:** The City Council respectfully disagrees with this finding. The Grand Jury does not define by what standard the Climate Action Committee would be effective, or how the Committee has performed compared to that standard. The comment is an unsubstantiated opinion, rather than a finding based on empirical evidence.*

***Calistoga Response:** We disagree with this finding. The Grand Jury does not define by what standard the Climate Action Committee would be effective, or how the Committee has performed compared to that standard. The comment is an unsubstantiated opinion, rather than a reasoned finding.*

***American Canyon Response:** After carefully examining the report and reviewing the relevant statutory authority, The City of American Canyon respectfully disagrees with the Grand Jury’s assertion. Simply stated, The City is not the “Public Agency” that is the subject of the report, nor*

is “city council” the “Governing Board” of said public agency. The Grand Jury can invite but not require a response.

F2. Interviews of Napa CAC members confirmed that the Napa County CAC has decided not to take any major steps toward greenhouse gas (GHG) reduction until the GHG study is released.

Napa County’s Response: *The Director of Planning, Building and Environmental Services agrees with this finding. the Board of Supervisors agrees with the Director.*

The Town of Yountville Response: *The Town Council agrees with this finding.*

The City of Napa Response: *The City of Napa agrees with this finding.*

The City Of St. Helena Response: *The City agrees with this finding.*

Calistoga Response: *Calistoga agrees with this factual finding.*

F3. Interviews revealed that the CAC was generally unfamiliar with the EV charging station subsidy programs currently available through the California Energy Commission and the Bay Area Air Quality Management District.

Napa County’s Response: *The Director of Planning, Building , and Environmental Services respectfully disagrees with this finding as it pertains to the County. Over the past two years, the Committee has reviewed and discussed the electric vehicle (EV) charging station grant programs on numerous occasions.*

The Board of Supervisors agrees with the Director.

City of Yountville Response: *The Town Council respectfully disagrees with this finding. Over the past two years, the Committee has reviewed and discussed the electric vehicle (EV) charging station grant programs on numerous occasions.*

City of Napa Response: *The City of Napa respectfully disagrees with this finding. Over the past two years, the Committee has reviewed and discussed the electric vehicle (EV) charging station grant programs on numerous occasions.*

St. Helena Response: *The City Council respectfully disagrees with this finding. Over the past two years, the Committee has reviewed and discussed the electric vehicle (EV) charging station grant programs on numerous occasions.*

Calistoga Response: *Calistoga respectfully disagrees with this finding. Over the past two years, the Committee has reviewed and discussed the electric vehicle (EV) charging station grant programs on numerous occasions.*

F4. The CAC struggles with a lack of county-wide GHG mitigation funding. However, it has not placed a priority on having an experienced, effective grant and funding pursuit individual on staff to seek and secure GHG reduction grants, even though grant subsidies for programs like EV charging stations currently exist.

Napa County's Response: *The Director of Planning , Building ,and Environmental Services respectfully disagrees with this finding as it pertains to the County. Over the past two years, the County has allocated up to \$100,000.00 for the operations of the Committee.The Cities and Towns have reserved an additional \$68,000.00 for the Committee during this same period. These funds are in addition to the \$50,000.00 in grant funding secured from the Bay Area Air Quality Management District.*

City of Yountville Response: *The Town Council of Yountville Respectfully disagrees with this finding. Over the past two years, the County has allocated up to \$100,000.00 for the operations of the Committee.The Cities and Towns have reserved an additional \$68,000.00 for the Committee during this same period. These funds are in addition to the \$50,000.00 in grant funding secured from the Bay Area Air Quality Management District.*

City of Napa Response: *The City Of Napa respectfully disagrees with this finding. Over the past two years, the County has allocated up to \$100,000.00 for the operations of the Committee.The Cities and Towns have reserved an additional \$68,000.00 for the Committee during this same period. These funds are in addition to the \$50,000.00 in grant funding secured from the Bay Area Air Quality Management District.*

St. Helena Response: *The City Counsel respectfully disagrees with this finding. Over the past two years, the County has allocated up to \$100,000.00 for the operations of the Committee.The Cities and Towns have reserved an additional \$68,000.00 for the Committee during this same period. These funds are in addition to the \$50,000.00 in grant funding secured from the Bay Area Air Quality Management District.*

Calistoga Response: *Calistoga respectfully disagrees with this finding. Over the past two years, the County has allocated up to \$100,000.00 for the operations of the Committee.The Cities and Towns have reserved an additional \$68,000.00 for the Committee during this same period. These funds are in addition to the \$50,000.00 in grant funding secured from the Bay Area Air Quality Management District.*

F5. Past studies have stated that the two largest GHG emission categories are Transportation and Buildings. The Grand Jury's interviews confirm that these two categories are expected to remain the top two items in the GHG study currently underway. The CAC in its three years of existence has not defined and proposed any action items to address the top two categories of emissions.

Napa County's Response: *The Director of Planning , Building and Environmental Services respectfully disagrees with this finding as it pertains to the County. The Grand Jury report is correct in that staff anticipates that Building Energy use and On -Road Transportation will likely be the two largest categories of greenhouse gas emissions in the upcoming regional inventory , both issues are largely regulated by the State of California through the uniform building code and vehicle emission standards. The Board of Supervisors agrees with the Director.*

Yountville's Response: *The Town Council of Yountville respectfully disagrees with this finding. The Grand Jury report is correct in that staff anticipates that Building Energy use and On -Road Transportation will likely be the two largest categories of greenhouse gas emissions in the upcoming regional inventory , both issues are largely regulated by the State of California through the uniform building code and vehicle emission standards.*

City of Napa's Response: *The City of Napa respectfully disagrees with this finding. The Grand Jury report is correct in that staff anticipates that Building Energy use and On -Road Transportation will likely be the two largest categories of greenhouse gas emissions in the upcoming regional inventory , both issues are largely regulated by the State of California through the uniform building code and vehicle emission standards.*

St. Helena's Response: *The City Council of St. Helena respectfully disagrees with this finding. The Grand Jury report is correct in that staff anticipates that Building Energy use and On -Road Transportation will likely be the two largest categories of greenhouse gas emissions in the upcoming regional inventory , both issues are largely regulated by the State of California through the uniform building code and vehicle emission standards.*

Calistoga's Response: *Calistoga respectfully disagrees with this finding. The Grand Jury report is correct in that staff anticipates that Building Energy use and On -Road Transportation will likely be the two largest categories of greenhouse gas emissions in the upcoming regional inventory , both issues are largely regulated by the State of California through the uniform building code and vehicle emission standards.*

RECOMMENDATIONS

R1. The CAC should increase the sense of urgency in implementing GHG emission reduction actions.

Napa County's Response: *The Director of Planning, Building, and Environmental Services response, this recommendation will not be implemented as it is not warranted or reasonable.*

The Board of Supervisors agrees with the Director.

Yountville Response: *This recommendation will not be implemented by the Town as it is not warranted or reasonable.*

City of Napa Response: *This recommendation will not be implemented by the City as it is not warranted or reasonable.*

City of St. Helena Response: *This recommendation will not be implemented by the City as it is not warranted or reasonable.*

Calistoga Response: *Calistoga will not implement this recommendation as it is not individually within our control , or more notably it is not warranted or reasonable.*

R2. The CAC should create monitoring protocols that seek to identify what its individual members have set goals and to identify whether they have met meaningful standards consistent with those goals. These should be formalized and reported to the CAC on a quarterly basis.

Napa County's Response: *This recommendation will not be implemented by the County as it is not warranted or reasonable.*

Yountville Response: *The Town will not implement this recommendation as it is not warranted or reasonable.*

City of Napa Response: *The City will not implement this recommendation as it is not warranted or reasonable.*

St. Helena's Response: *The City will not implement this recommendation as it is not warranted or reasonable.*

Calistoga Response: *Calistoga will not implement this recommendation as it is not individually within our control , or more notably it is not warranted or reasonable.*

R3. The CAC should provide a detailed prioritized list of potential projects for possible grant funding and either retain or designate a current staff person as a grant researcher and writer to identify and seek grants from any possible source.

Napa County's Response: *The Director of Planning , Building , and Environmental Services response; This recommendation has been implemented as it pertains to the county. Staff to the committee have already secured one \$50,000.00 grant and continue to search for other appropriate potential funding opportunities. The Board of Supervisors agrees with the Director.*

Yountville Response: *This recommendation has been implemented as it pertains to the county. Staff to the committee have already secured one \$50,000.00 grant and continue to search for other appropriate potential funding opportunities.*

City of Napa Response: *This recommendation has been implemented as it pertains to the county. Staff to the committee have already secured one \$50,000.00 grant and continue to search for other appropriate potential funding opportunities.*

St. Helena Response: *This recommendation has been implemented as it pertains to the county. Staff to the committee have already secured one \$50,000.00 grant and continue to search for other appropriate potential funding opportunities.*

Calistoga: *This recommendation has been implemented as it pertains to the county. Staff to the committee have already secured one \$50,000.00 grant and continue to search for other appropriate potential funding opportunities.*

R4. The CAC should restructure itself to provide authority over and accountability of its member jurisdictions.

Napa County's Response: *The Director of Planning, Building , and Environmental Services response this recommendation will not be implemented as it is not warranted or reasonable. The Board of Supervisors agrees with the Director.*

Yountville Response: *This recommendation will not be implemented as it is not warranted or reasonable.*

City of Napa Response: *This recommendation will not be implemented as it is not warranted or reasonable.*

St. Helena Response: *This recommendation will not be implemented as it is not warranted or reasonable.*

Calistoga Response: *This recommendation will not be implemented as it is not individually within our control, and more notably not warranted or reasonable.*

R5. To benefit its work, the CAC should consider the following actions:

- Reducing the number of CAC members, currently from 12 (2 per jurisdiction), to 6 (1 per jurisdiction) to facilitate faster action, use of advisors and plan development.
- Utilize county citizens familiar with GHG emission reduction strategies to assist the CAC in the preparation of recommended actions.

Napa County's Response: *These recommendations will not be implemented as they are not warranted or reasonable.*

Yountville Response: *These recommendations will not be implemented as they are not warranted or reasonable.*

City of Napa Response: *These recommendations will not be implemented as they are not warranted or reasonable.*

St. Helena Response: *These recommendations will not be implemented as they are not warranted or reasonable.*

Calistoga Response: These recommendations will not be implemented as they are not warranted or reasonable.

REQUEST FOR RESPONSES

REQUIRED RESPONSES

The following responses are required pursuant to Penal Code sections 933 and 933.05:

From the following individuals:

From the following governing bodies:

- Town Council of Yountville
- City Councils of Napa, American Canyon, St. Helena and Calistoga
- The Napa County Board of Supervisors
- The Climate Action Committee, a Joint Powers Agreement Authority under California law

The City of Napa’s Sidewalks: Watch Your Step

FINDINGS

F1. The City of Napa has developed a systematic and criteria-based approach to prioritizing sidewalk repairs.

The City Council, The Mayor of Napa, The Public Works Director, and the City Manager of the City of Napa agree with this finding.

F2. The City of Napa strives for efficiency, due to its limited number of repair crew personnel (22 full time repair crew personnel), in order to maximize sidewalk repairs throughout the year.

The City Council, The Mayor of Napa, The Public Works Director, and the City Manager of the City of Napa partially agree with this finding. The City does strive for efficiency due to the limited number of repair crew personnel to maximize sidewalk repairs Throughout the year. To provide additional clarity, it is important to state the assignments of the street maintenance personnel. The City has three crews dedicated to street maintenance with a total of 21 positions assigned to these three crews with a streets superintendent manager over the division. Only one crew , which is made up of seven members, is assigned full time sidewalk repairs.

F3. The City of Napa has identified the following five important sidewalk conditions, each assigned a numerical score (1-5), to determine repair prioritization:

- Pedestrian travel areas

- Years until the sidewalk falls onto the schedule repair under the Napa Neighborhood Streets and Sidewalk Program
- Tree Issues Around The Sidewalk
- Proximity to schools
- Size of concrete displacement

The City Council, The Mayor of Napa, The Public Works Director, and the City Manager of the City of Napa agree with this finding.

F4. The Public Works Department goal for sidewalk repair is to group by proximity/location the highest-ranked priority projects, in order to develop a list of the maximum number of high priority repairs that can be completed as a single project. The goal is to complete repairs ranging from a minimum of 9 to a maximum of 15 locations to minimize movement of repair crews and maximize efficiency.

The City Council, The Mayor of Napa, The Public Works Director, and the City Manager of the City of Napa agree with this finding.

F5. The Public Works Department views efficiency in sidewalk repairs as a major factor in the timely repair of all damaged sidewalks. The Public Works Department has evidence and experience that the sidewalk repair rates of the Napa Neighborhood Program are four to five times greater than completing individual priority locations.

The City Council, The Mayor of Napa, The Public Works Director, and the City Manager of the City of Napa agree with this finding.

F6. City residents do not have easy access to sidewalk repair information due to the Public Works Department’s outdated sidewalks website. An updated website could help to inform the public about the City of Napa’s strong financial and operational commitment to sidewalk repair given budgetary constraints.

The City Council, The Mayor of Napa, The Public Works Director, and the City Manager of the City of Napa partially agree with this finding.

The City’s website did include information about the Napa Neighborhood Streets and Sidewalks Program, the Sidewalk Cost Share Program, Sidewalk Shaving Program, and sidewalk locations repaired over the previous fiscal year. The City does agree that improvements to the website would be useful in highlighting the sidewalk repair program as a City priority. In July 2022, additional information regarding the sidewalk repair program was added to the City of Public Works website.

RECOMMENDATIONS

R1. The City of Napa should describe the rationale and advantages of the Napa Neighborhood Streets and Sidewalk Program on the Public Works Department website.

City Response: *The recommendation has been implemented. The information can be found on the City webpage: <https://www.cityofnapa.org/365/Sidewalks-Curbs-Gutters>.*

R2. The City of Napa should use its Public Works Department website to explain the prioritization of sidewalk repair, including shaving and asphalt patching under the Napa Neighborhood Streets and Sidewalks Program.

City Response: *The recommendation has been implemented. The information can be found on the City webpage: <https://www.cityofnapa.org/365/Sidewalks-Curbs-Gutters>.*

R3. The City of Napa should use the Public Works Department website to explain how crew efficiency assists in getting more sidewalk repairs completed each year.

City Response: *The recommendation has been implemented. The information can be found on the City webpage: <https://www.cityofnapa.org/365/Sidewalks-Curbs-Gutters>.*

R4. The City of Napa should use the Public Works Department website to emphasize the Cost Sharing program and the benefits it provides to residents whose sidewalks are not scheduled for near-term repairs.

City Response: *The recommendation has been implemented. The information can be found on the City webpage: <https://www.cityofnapa.org/365/Sidewalks-Curbs-Gutters>.*

R5. The City of Napa should update the Public Works Department website to reflect its strong financial and operational commitment to sidewalk repair year over year and to describe any plans for the future.

City Response: *The recommendation has been implemented. The information can be found on the City webpage: <https://www.cityofnapa.org/365/Sidewalks-Curbs-Gutters>.*

REQUEST FOR RESPONSES

REQUIRED RESPONSES

The 2021-2022 Napa County Civil Grand Jury requests the following responses pursuant to Penal Code sections 933 and 933.05:

- The Napa City Council (F1-F6 and R1-R5)

- The Mayor of the City of Napa (F1-F6 and R1-R5)

INVITED RESPONSES

- The Napa City Manager (F1-F6 and R1-R5)
- The City of Napa Director of the Public Works Department (F1-F6 and R1-R5)

Homelessness: Much is Being Done – More is Required

FINDINGS

F1. There are several City and County officials providing leadership toward the goal of reducing homelessness, but lack of unified integration of the various stakeholders.

The Director of Housing and Homelessness Services partially disagrees with the finding. The Director agrees there are many County and City officials providing positive leadership toward the goal of reducing homelessness and disagrees there is a lack of unified integration among key stakeholders in the community.

F2. There is a lack of case management to ensure that all homelessness persons are directed to the proper social services and health care.

The Director of Housing and Homeless Services agrees available outreach and shelter case managers are not currently able to provide comprehensive case management services to ensure every person experiencing homelessness is connected to proper social services and health care.

F3. The Grand Jury found it difficult to determine how much money County departments spend on addressing homelessness issues. County budgets/spending information do not attribute expenditures to that level of detail.

The Director of Housing and Homeless Services partially disagrees with the finding. In 2019, the County of Napa established the Division of Housing and Homeless Services, merging Homeless programs (formerly a sub-division of Health and Human Services Operations Department) with County Affordable Housing (Fund 2080) and Housing Authority (Fund 5060) budget units within the County Executive Office.

F4. The current data collection systems used do not provide sufficient analytical data for examining the use of social services. Current data are not being used by administrative support staff to analyze trends specific to demographic groups and to develop enhanced utilization of local services.

The Director of Housing and Homeless Services agrees with the finding.

F5. There is a lack of social services available for homeless persons in general, especially those with physical, mental health, or addiction disabilities.

The Director of Housing and Homeless Services agrees with the finding.

F6. HHS Crisis Stabilization Unit (CSU) lacks sufficient bed capacity to manage the increase of crisis cases which limits services for homeless people in crisis.

The Director of Housing and Homeless Services agrees with the finding.

F7. There is available land which could be used for the development of housing for the homeless. Several interviewees stated that suitable land may be available on the Napa State Hospital property, the Veterans Home in Yountville, church properties, and closed school sites (e.g., Harvest Middle School, Yountville Elementary, and Stonebridge / Carneros.) Unfortunately, there is no evidence of progress towards finalizing such new locations.

The Director of Housing and Homeless services partially disagrees with the finding. The County of Napa is actively engaged in discussions with local, State, and Federal agency counterparts regarding using the available surplus land for the possible development of supportive housing.

F8. Some potential affordable or temporary housing projects have not been approved due to community resistance or NIMBYism. Both the Heritage House and Valle Verde housing projects initially met with community resistance.

The Director of Housing and Homeless services partially disagrees with the finding. The Heritage House and Valle Verde project was met with significant neighbor resistance. However, it also received significant community support and was ultimately approved.

F9. Current unused space at Juvenile Hall could be converted to general housing for homeless youth, but only if authorized by the Court.

The Director of Housing and Homeless services agrees with the finding.

RECOMMENDATIONS

R1. A leadership council should be formed by those government officials and stakeholders who control the most resources directed to the goal of supportive housing.

Response, Director, Napa County Housing and Homeless Services: The recommendation has been implemented. The Director therefore both agrees with the recommendation that resources be directed to supportive housing, one of the five goals in the Strategic Plan , and respectfully disagrees with the recommendation to form a second leadership council separate from the COC.

Response, Acting County Executive Officer: The CEO agrees with the Director.

Response, Board of Supervisors: The Board of Supervisors agrees with the Director.

R2. The Continuum of Care should compile and inventory of services available to homeless persons to better inform clients and promote increased collaboration and effective delivery of services by providers.

Response, Director, Napa County Housing and Homeless Services: *The recommendation has been implemented.*

Response, Acting County Executive Officer: *the CEO agrees with the Director.*

Response, Board of Supervisors: *the Board of Supervisors agrees with the Director.*

- R3. County officials need to develop a more detailed program budget which would make it easier to determine how much money is spent toward homelessness on an ongoing basis.

Response, Director, Napa County Housing and Homeless Services: *The recommendation has been implemented.*

Response, Acting County Executive Officer: *the CEO agrees with the Director.*

Response, Board of Supervisors: *the Board of Supervisors agrees with the Director.*

R4. Homeless Management Information System data should be more easily accessible to all HMIS users from different City and County departments (while maintaining privacy requirements) to improve the efficiency and quality of service delivery.

Response, Director, Napa County Housing and Homeless Services: *The recommendation has not yet been implemented but will be implemented in the Fiscal Year 2022-2023.*

Response, Acting County Executive Officer: *the CEO agrees with the Director.*

Response, Board of Supervisors: *the Board of Supervisors agrees with the Director.*

R5. The Napa County HHS should hire additional mental health and substance abuse counselors to assist in crisis management and outreach efforts for the homeless. In addition, the County should increase the number of beds at The Crisis Stabilization Unit to ensure that crisis cases are not diverted to the Queen of the Valley Medical Center.

Response, Director of Napa County Housing and Homeless Services: *The Recommendation to hire additional mental health counselors to assist in homeless outreach efforts has not yet been implemented by the Housing and Homeless Services Division of the Acting County Executive's Office but will be implemented in Fiscal Year 2022-2023 as part of the Cooperative Joint Powers Agreement between the City and County of Napa for the provision of homeless services.*

Response, Acting County Executive Officer: *the CEO agrees with the Director.*

Response, Board of Supervisors: *the Board of Supervisors agrees with the Director.*

R6. The Napa County Public Health Division should form a task force, including personnel providing law enforcement, mental health, and emergency medical services, to treat people suffering from drug induced medical disorders, with special emphasis on crisis resulting from the use of P2P methamphetamine and Fentanyl.

Response, Director, Napa County Housing and Homeless Services: *The Director of Housing and Homeless Services and Director of HHSa refer to the above response to Recommendation five and incorporate it by reference.*

Response, Acting County Executive Officer: *the CEO agrees with the Director.*

Response, Board of Supervisors: *the Board of Supervisors agrees with the Director.*

R7. Napa County Board of Supervisors and County Housing and Homeless Services departments should enact policies and procedures to facilitate the use of land from low income permanent supportive housing (e.g., Wine Valley Lodge).

Response, Director, Napa County Housing and Homeless Services: *The recommendation has been implemented. The Director agrees with the recommendation to continually review and refine policies and procedures to facilitate the development of low income and permanent supportive housing.*

Response, Acting County Executive Officer: *the CEO agrees with the Director.*

Response, Board of Supervisors: *the Board of Supervisors agrees with the Director.*

R8. City Managers and the County Executive Officer should disseminate more data and information about homelessness to educate Napa residents about the causes and extent of homelessness in Napa and its effects upon persons living on the street. An example would be developing respective government websites to include an information dashboard on homelessness and homelessness prevention.

Response, Director, Napa County Housing and Homeless Services: *The recommendation has not yet been implemented but will be implemented in Fiscal Year 2022-2023.*

R9. The County CEO and Napa County Director of Corrections should work to convert the current Reentry Facility to transitional housing for the homeless.

Response, Director, Napa County Housing and Homeless Services and Director of Corrections: *The recommendation has not been implemented. The recommendation will require further analysis on whether this repurposing can become permanent.*

Response, Acting County Executive Officer: *the CEO agrees with the Director.*

Response, Board of Supervisors: *the Board of Supervisors agrees with the Director.*

REQUEST FOR RESPONSES

REQUIRED RESPONSES

The following responses are required pursuant to Penal Code sections 933 and 933.05:

From the following individuals:

- Napa County Board of Supervisors (R1 - R9)
- Napa County Executive Officer (R1- R9)
- Director, Napa County Housing and Homeless Services (R2, R5, R8, R9)
- Director, Department of Corrections (R9)

INVITED RESPONSES

- The Napa City Manager (R1, R3, R4)
- The City of Napa, Assistant to the City Manager for Housing and Homeless Services (R1, R2, R3, R4, R9)
- Continuum of Care Board (R1-R9)

Adult Probation Department

FINDINGS

F1. The current number of Probation Officers assigned to the Department appears to be sufficient with respect to maintaining the system. However, there are additional training and rehabilitation activities that are not being provided due to probation officers' high volume of Court appearances, submission of Court reports, meetings with victims and families, and ongoing supervision of probationers. The hiring of additional Probation Officers would help spread the work out more evenly and help to reduce recidivism.

The Chief Probation Officer disagrees in part with the finding to the extent that the finding asserts additional training and rehabilitation activities are not being provided due to the high level of duties of a probation officer. The Probation Department has worked for many years to reduce caseload sizes through the implementation of evidence-based practices to reduce recidivism. Probation Officer caseloads are now reasonable and similar to caseloads of other comparable counties. The Department offers its staff the opportunity to attend a wide variety of training to help reduce recidivism. The Department agrees that if resources were unlimited, the addition of staff would create opportunities for innovation.

The Board of Supervisors agrees with the Chief Probation Officer.

F2. The Probation Department is currently working to develop a coordinated case management system, which will assist Probation Officers in managing their caseloads and provide information about the types of services received by Probationers.

The Chief Probation Officer agrees with this finding.

The Board of Supervisors agrees with the Chief Probation Officer.

F3. There are no formal quality assurance and performance evaluation programs to measure the impact that therapeutic treatment activities are having on reducing recidivism. There should be

in-house research examining whether cognitive-behavioral groups lead by Probation Officers have a positive impact on reducing recidivism.

The Chief Probation Officer agrees with this finding. *The Department recently added a Probation Program Services Manager who will be developing a quality assurance program in the Department.*

The Board of Supervisors agrees with the Chief Probation Officer.

F4. The Adult Probation Department utilizes Evidence-Based practices such as cognitive behavior therapy but does not collect its own data (outcome measures) as to the efficacy of these groups in reducing recidivism.

The Chief Probation Officer disagrees in part with this finding, *specifically that the Probation Department does not collect its own data. The current case management system (CINet) utilized by the Department has a custom-built program module that enables the probation officer who facilitates each group to enter data about the group tied to individual level offender data. However, the challenge is pulling the data out of the system in aggregate to evaluate program efficacy.*

The Board of Supervisors agrees with the Chief Probation Officer

F5. Water leaks in the Probation Department have been reported over a period of ten years. Air testing for contaminants such as lead and mold has been requested and air samples have been taken. Public Works has been responsive to reports of water leakage and has followed up with proper clean-up of potentially hazardous materials.

The Chief Probation Officer agrees with this finding.

The Board of Supervisors agrees with the Chief Probation Officer.

F6. Violations of the terms of probation result primarily from the presence of mental illness, drug usage or gang involvement but the Department lacks the resources to effectively treat individuals with these designations.

The Chief Probation Officer disagrees wholly with this finding. *The challenges listed significantly contribute to behaviors that violate conditions of probation along with antisocial values/beliefs, family dysfunction, education, and other factors. The department has an embedded mental health staff, is part of a collaborative Mental Health Court team, and staff are well educated on the mental health services provided in the community. The department also has an officer dedicated to supervising gang offenders. This officer receives special training and works closely with partner agencies who are experienced in working with gangs. To address drug use the department has dedicated resources like an embedded alcohol and drug counselor, specialty collaborative caseloads like Drug Court and Prop 36, as well as residential treatment options. Staff also receive significant training on the job and in their CORE coursework and training in the identification of individuals under the influence, and how to respond to substance abuse behaviors.*

The Board of Supervisors agrees with the Chief Probation Officer.

F7. The definition of recidivism used in the past is a new violation of the law that occurs during a probation supervision term. There are many ways that recidivism has been looked at in the past under previous administrations. Recidivism is a key subject for data analysis that must be looked at in the future.

The Chief Probation Officer agrees with this finding.

The Board of Supervisors agrees with the Chief Probation Officer.

F8. The job satisfaction of Probation Officers is high yet there can be considerable stress given the constant exposure to handling complex and heart-rending cases involving victims and their families.

The Chief Probation Officer agrees with this finding.

The Board of Supervisors agrees with the Chief Probation Officer.

F9. Since the 2008-2009 Grand Jury investigations there has been minimal turnover of Probation Officers and consistent reports of job satisfaction and good morale. In addition, opportunities for career advancement are available.

The Chief Probation Officer agrees with this finding.

The Board of Supervisors agrees with the Chief Probation Officer.

RECOMMENDATIONS

R1. The Adult Probation Department should hire additional staff to handle the 1,300 to 1,400 yearly supervision cases. Increased caseloads limit the ability to provide more individualized treatment services and case supervision.

The recommendation will not be implemented because it is not warranted at this time. While it is imperative to appropriately resource the department to rehabilitate offenders and contribute to victim and community safety, caseload sizes have been reduced significantly over the past decade resulting in manageable caseloads. Given that resources are not unlimited, the department has requested the appropriate size of staff for the division. However, staffing will continue to be evaluated as the department implements the strategic plan and will recommend an increase in staffing if and when it becomes necessary.

The Board of Supervisors agrees with the Chief Probation Officer.

R2. The Adult Probation Department would develop a formal quality assurance and performance evaluation component to ensure that treatment programs are having a positive impact on recidivism and that Probation Officers are meeting performance standards.

The recommendation has not yet been implemented but will be implemented in the future. The development of outcome measures and performance evaluation standards will take a considerable amount of time and effort and will be dependent on other county agencies to provide the technological support to retrieve and aggregate system data. Additionally dedicated resources will need to be identified to ensure sustainability. It is anticipated that this recommendation will be implemented as part of the three-year strategic plan.

The Board of Supervisors agrees with the Chief Probation Officer.

R3. The Adult Probation Department should generate its own evidence as to how effective treatment services are with respect to reducing recidivism.

The recommendation has not yet been implemented but will be implemented in the near future. The Department will require enhanced data entry capability into the CINet system which requires the support of the County IT Department to upgrade and customize the system to enable robust data entry. This will require additional dedicated staffing resources as well as a data warehouse to aggregate and analyze the data. The department will contract with the University of Cincinnati to provide technical assistance to design data requirements. This recommendation will start immediately but is anticipated to take up to four years to implement.

The Board of Supervisors agrees with the Chief Probation Officer.

R4. The Chief Probation Officer and Director of IT Services should continue to improve the Napa County Criminal Justice Network (CJNet) by increasing the capacity for analyzing data changes and trends over time in order to improve treatment delivery and case supervision. A data “warehouse” system would facilitate Information Technology (IT) coordination between the Police Department and other law enforcement agencies.

The recommendation has not yet been fully implemented but will be implemented in the future. See above explanation.

The Board of Supervisors agrees with the Chief Probation Officer.

R5. The Chief Probation Officer and Director of Health and Human Services should explore ways of providing additional mental health, substance abuse, and gang affiliation treatment services with the goal of lowering recidivism rates.

Joint response from Chief Probation Officer and Director of Health and Human Services: The recommendation has not yet been implemented but will be in the near future. Close coordination already exists between the Probation Department and Health and Human Services Agency (HHS). HHS staff are embedded into the Adult Probation Office to provide direct services in the areas of mental health services, alcohol and drug services and enrollment into public assistance programs. The Chief Probation Officer and Director of HHS have discussed implementing a system to further enhance collaboration and communication around broader resources and system issues with the goal of increasing service utilization and care coordination among agencies. It is anticipated that the implementation of a collaborative multi-disciplinary team will be designed and implemented within one year. HHS also anticipates applying for grant funding that will help to further enhance this process.

COMMENDATIONS

The Grand Jury acknowledges the incredible work that is accomplished by the Probation Department's staff. They have been charged with managing highly challenging and at times stressful circumstances tied to the supervision of probationers. There are ongoing risks of danger given their supervision duties.

The Probation Department staff plays an important role in providing the courts with key information and recommendations regarding bail, sentencing, probation revocation matters, and ongoing risk factors. They work with large caseloads and make decisions that are intended to reduce probationers' recidivism. They deserve recognition for working with a difficult population and for showing compassion to individuals held in the criminal justice system so that they can achieve greater potential to reenter society.

REQUEST FOR RESPONSES

REQUIRED RESPONSES

The following responses are required pursuant to Penal Code sections 933 and 933.05:

From the following governing bodies:

- Napa County Board of Supervisors R1, R2, R3
- Chief Probation Officer R1, R2, R3, R4, R5

INVITED RESPONSES

- Director of Health and Human Services R5
- Director of Information Technology Services R4

Covid Vaccinations In Napa County

FINDINGS

F1. A very large portion of the County's population is protected from the most severe effects of Covid because they have received FDA-approved vaccinations. An increasingly large number of adults have received boosters and children are receiving vaccinations that have FDA emergency use approvals for vaccines for the younger age groups. As of the date of this report, however, approved vaccinations were still not available for children under age 5.

Response of Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer: We agree with the finding.

The Board of Supervisors agrees with the Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer.

F2. PHD staff, led by Dr. Karen Relucio, has worked long hours with high energy and great diligence to deal with the many challenges related to the Covid pandemic response. They have performed admirably and provided effective and needed leadership to the County's Covid vaccination rollout efforts.

Response of Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer: Agrees with the finding.

The Board of Supervisors agrees with the Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer.

F3. The scope of services for which the Napa County PHD has been funded has decreased over the last several decades. During the County's Covid response, PHD worked extremely well within the limits of its funding and intended scope but lacked sufficient resources to be more fully involved in actually administering vaccinations and performing testing. The precise roles that PHD plays versus those of the rest of the healthcare system should be considered carefully. The Grand Jury found that the success of the County's Covid Pandemic response relied extensively on the participation, resources, goodwill, initiative, and cooperation of volunteers and private entities (commercial and non-profit). The current County public health model should be carefully evaluated to ensure that the success of PHD could be repeated predictably, should a County response of the magnitude required for Covid be necessary in the future.

Response of Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer: We disagree partially with the finding. Public Health has 17 different programs which range from communicable disease control and prevention, chronic disease prevention, emergency preparedness and programs to serve high-risk families and children.

The Board of Supervisors agrees with the Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer.

F4. The County did not have an adequate plan in place to readily guide the County's Covid vaccination rollout. While PHD communicated frequently and regularly with the many responding non-governmental entities, the roles, responsibilities, and scope of involvement of those entities were generally not well-articulated in a plan and not fully anticipated by some of the participants. Some of the responding entities were more cooperative and better able (or better resourced) than others. If these anticipated response participants and their roles are not better addressed by a County plan, or in agreements or memoranda of understanding with the parties, there may be inefficiencies, redundancies, and gaps in effort as a result.

Response of Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer: Disagree partially with the finding. There is a written COVID-19 response plan and a COVID-19 vaccination plan. The County's COVID-19 pandemic response has been based on the previous Pandemic Influenza Response Plan, and the plan was revised for COVID-19 and was updated quarterly up until June 2021.

The Board of Supervisors agrees with the Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer.

F5. Response plans for public health emergencies cannot anticipate all possible contingencies. On the other hand, the Covid response illustrated a range of issues for which advance work on identifying options and available resources is paramount. Alternatives for vaccine storage, handling, and distribution, possible eligibility criteria for the order in which individuals receive vaccinations, communication approaches for more effectively notifying residents about vaccines and vaccinations, and mechanisms for easier access to vaccination appointments for all county residents should all be assessed. The County does not always have significant leeway when it is required to follow the lead of State and Federal governments, but the County must be prepared for those instances where such leadership is not forthcoming or circumstances do not allow time to develop and evaluate options in a leisurely fashion.

Response of Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer disagree partially with the finding. *Pandemic response plans were written based on novel influenza viruses, which had pre-existing treatment, vaccines and much more established scientific knowledge on transmissions, mode of communicability, infectious periods and infection prevention strategies.*

The Board of Supervisors agrees with the Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer.

F6. The County's Covid Pandemic response was made more difficult at times by the vast scope of what was needed. In addition, some State and Federal government decisions, actions, policies, and policy changes caused complications, as did inconsistent communication from the State to the counties.

Response of Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer agrees with the finding.

The Board of Supervisors agrees with the Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer.

F7. The County did not always effectively communicate with its residents during the Covid vaccine rollout. Insufficient PIO resources, frequent turnover in the PIO role, and a lack of support or emphasis by County leadership for open and proactive communication undercut the County's efforts. The County did not communicate enough with county residents about the effectiveness of Covid 19 vaccines and the availability of vaccinations at a time when residents deserved more. Residents were not given enough reassurance that the County was on top of the issues and up to the task of making sure that timely vaccinations would be available for everyone who wanted them (although thankfully, it turned out that they were). Some residents' concerns are illustrated by the large number who felt that they had to seek vaccinations from sources outside the County.

Response of Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer: We disagree partially with the finding. *As stated, previously, there were eleven complex COVID-19 response functions, outside of vaccination efforts, that required significant communication resources and messaging.*

The Board of Supervisors agrees with the Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer.

F8. The Grand Jury observed that County government leaders devote few resources to the PIO function; as a result, those assigned to the task often had so many demands on their time that they had little capacity to engage in anything but reactive communication efforts. The County has usually had only one PIO on staff to handle communication about all County issues, even during emergencies. This staffing was clearly insufficient during the County's Covid response.

Response of Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer: We disagree partially with the finding. Although there is one Napa County PIO, the EOC had back-up PIO staffing that supplemented the function and was covered by other County employees. Public Health redirected some staff to help the PIO with public health communications and outreach and other County leadership also assisted with communications.

The Board of Supervisors agrees with the Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer.

F9. The Grand Jury found no evidence of a coordinated effort by the County to try to systematically deliver, directly or through healthcare providers, some form of individual communication to each County resident reassuring them about the utility and importance of receiving vaccinations and providing assistance about how to obtain them. Telling residents to sign up for MyTurn was not a panacea for the first five months of the vaccination rollout.

Response of Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer; We wholly disagree with the finding. The ability to deliver individual communications to each County resident during the initial rollout of the vaccine, which occurred during winter COVID surge, was not feasible or reasonable at that time. There is not one systematic way to communicate with all residents, there were several weekly radio spots locally, NIXLE alerts are sent to those who sign up to receive them, newspaper articles and social media posts are available to subscribers, and updates were given through Facebook Live, board of Supervisors and many other groups.

The Board of Supervisors agrees with the Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer.

F10. Many County residents, including "at-risk" groups, did not have sufficient access to computers, reliable internet access, or tech-savviness to get access to vaccination appointments. For these and other reasons, they were at a significant disadvantage. The County's call center and outreach efforts helped, but awareness about the scope of these services was limited. The County seemed to provide insufficient assistance to these residents, especially when vaccine doses were in short supply.

Response of Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer: We disagree partially with the finding. The call center and

vaccinations were advertised using multimedia outreach, including radio, newspaper, social media posts, Facebook Live and BOS presentations. Even though there was multimedia outreach and call center, there were still not enough vaccine doses to administer, which was beyond the County's control.

The Board of Supervisors agrees with the Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer.

F11. The County's initial choice to use an EOC personnel structure for the Covid response was appropriate and important but using it continuously for over a year and a half resulted in a depleted and exhausted County workforce and left many other County services unperformed for a long period.

Response of Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer: We wholly disagree with the finding. Prolonged use of the EOC structure was necessary to supplement staffing to COVID-19 and to enable the provision of other essential Public Health and County functions, while awaiting supplemental funding to hire staff.

The Board of Supervisors agrees with the Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer.

F12. The County either did not sufficiently consider transitioning earlier to a different personnel structure than the EOC or allocated insufficient resources to evaluate and implement other options for continuing its Covid response. A different personnel structure than the "all hands-on deck" EOC approach used for Covid (even though its sense of urgency was toned down to some extent over time) could have allowed some County resources to return more quickly to their normal functions, while providing additional needed technical and other support to the PHD to continue their response work.

Response of Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer: We wholly disagree with the finding. The EOC structure was necessary to supplement staffing to respond to COVID-19 and to enable the provision of other essential Public Health functions which were prioritized to return based on our Continuity of Operations Plans. An all-County response was required to fulfill other functions that fell outside of Public Health.

The Board of Supervisors agrees with the Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer.

F13. The County's ability to respond to other emergencies could have been significantly hindered by the long-term use of this EOC structure for the Covid response. Due to Napa County's relatively small size, many of the same resources must be employed whenever County responds to fires, earthquakes, and other emergencies, including substantial public health group resources. It is beyond the scope of this investigation to assess whether the County's emergency responses to the devastating fires from August through October 2020 were hampered by the continued use of the EOC structure approach for Covid, or whether key staff were over-stretched and not performing at peak efficiency. There is little question that the County was very lucky that the 2021 fire season in Napa was a relatively quiet one.

Response of Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer: We wholly disagree with the finding. The Napa County Office of Emergency Services (OES) did have a plan for running concurrent Emergency Operations Centers (EOC's) during COVID response and the 2020 fires. That plan was prepared and presented to the Board of Supervisors and an "Incident Within an Incident" plan at the BOS meeting on August 11, 2020, prior to the onset of the fires.

The Board of Supervisors agrees with the Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer

F14. This investigation did not include a review of the “vaccine inquiry” involving a County Supervisor that was conducted by the law firm Meyers Nave at the behest of the Board of Supervisors (report dated 5/5/2021). However, multiple interviewees volunteered their concerns about the timing of the inquiry (seen as unnecessarily during the height of the vaccine rollout) and its purpose. During the investigation, PHD staff was diverted from their vital responsibilities responding to a public health emergency just to be scrutinized and questioned by Meyers Nave. The Grand Jury was told multiple times that the inquiry left an already overtaxed and over-stressed staff extremely demoralized. Apparently, those wounds have not healed.

Response of Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer: Agrees wholly with the finding.

The Board of Supervisors agrees with the Public Health Officer/Deputy Director, OES and Risk Manager and Acting County Executive Officer.

COMMENDATION

The Grand Jury commends the Napa County PHD for their dedication, leadership, and commitment to the residents of Napa County in all aspects of the County’s Covid response, including providing Covid vaccinations.

RECOMMENDATIONS

R1. The County should conduct a Covid response After-Action Review, identify lessons learned from its response activities, and fund and implement the review’s findings. The review should not be conducted solely by County government “insiders,” but also should include other stakeholders as well as County residents.

Response of Public Health Officer/Deputy Director, OES and Risk Manager, Acting County Executive Officer: The Recommendation has been implemented.

Response, Board of Supervisors: the Board of Supervisors agrees with the Public Health Officer/Deputy Director, OES and Risk Manager, and the Acting County Executive Officer.

R2. As part of this After-Action Review, the County should evaluate the role, staffing, and funding of PHD to determine what changes and enhancements should be made so that the division can both meet the County’s ongoing public health needs and be optimally staffed to address its potential response roles in a future public health emergency. If the review determines

that staffing and funding of PHD should be enhanced, a timeline and action plan should be established to implement the enhancements.

Response of Public Health Officer/ Deputy Director, OES and Risk Manager, Acting County Executive Officer: The recommendation requires further analysis. At the current time, Public Health receives \$12 million in temporary COVID funds (federal funding), which has enabled increased limited term staffing for COVID-19 vaccination, case investigation, outbreak investigation, distribution of testing resources, allocation of treatment, and community outreach. Most of this funding will sunset in 2024, at which time, selected limited terms positions will be converted to permanent positions

Response, Board of Supervisors: the Board of Supervisors agrees with the Public Health Officer/Deputy Director, OES and Risk Manager, and the Acting County Executive Officer.

R3. The County should revise its Emergency Response Plans so that it is better prepared should a similar public health emergency occur in the future. The plans should attempt to spell out or better provide for the significant roles that are expected to be performed by private, non-governmental entities. For example, in a pandemic response the PHD may be expected to play a largely oversight and coordination role and would not itself be staffed to perform large-volume administration of vaccines or testing of them. If that is the case, the roles of private, non-governmental entities that will do the bulk of the vaccinations and testing should be documented in the plans and, to the extent possible, in contracts or memoranda of understanding with the County. Their work should be financially supported by the County in appropriate cases. If significant roles and responsibilities are not better-documented, PHD will continue to spend a great deal of its energy during a response trying to enlist and coordinate the participation of others. If this happens, the County runs the risk that those parties will not be as able or willing to play certain key functions, including devoting and donating the needed resources, should the need arise.

Response of Public Health Officer/ Deputy Director, OES and Risk Manager, Acting County Executive Officer: The recommendation has not yet been implemented but is in progress to be completed by December 2022. There is a written COVID-19 response plan and a COVID-19 vaccination plan. The County's COVID-19 pandemic response has been based on the previous Pandemic Influenza Response plan, and the plan was revised for COVID-19 and was updated quarterly up until June 2021.

Response, Board of Supervisors: the Board of Supervisors agrees with the Public Health Officer/Deputy Director, OES and Risk Manager, and the Acting County Executive Officer.

R4. Based on its Covid response experiences, PHD should assess what advance work can be done on identifying optional approaches and available resources to reduce its real time burden in the event of a similar future public health response.

Response of Public Health Officer/ Deputy Director, OES and Risk Manager, Acting County Executive Officer: We disagree partially with the recommendation. Predicting future resources and approaches for a "once in a lifetime" event is unrealistic, given the fact that the priorities of the COVID-19 response have evolved, along with the properties of the virus itself.

Response, Board of Supervisors: the Board of Supervisors agrees with the Public Health Officer/Deputy Director, OES and Risk Manager, and the Acting County Executive Officer.

R5. Napa County’s EOC model should be evaluated to determine how it can be better structured to manage concurrent emergencies. The EOC plan should also establish a process that requires the transition from “emergency” to “ongoing” response after a much shorter period of time than was employed for the Covid response. After the transition the focal activity (in this case Public Health) should be adequately reinforced to continue the County’s response activities. This would allow (a) non-emergency County functions to more quickly return to normal and County staffers to return to their roles and responsibilities, (b) less-encumbered County emergency resources would be available should a concurrent emergency occur, and (c) the integrity of the County workforce would be maintained.

Response of Public Health Officer/ Deputy Director, OES and Risk Manager, Acting County Executive Officer: We wholly disagree with the recommendation. Contrary to the Grand Jury’s conclusion, Napa County Office of Emergency Services (OES) did have a plan for running concurrent Emergency Operations Centers (EOC’S) during the COVID response and the 2020 fires. That plan was prepared and presented to the Board of Supervisors as an “Incident Within an Incident” plan at its meeting on August 11, 2020, prior to the onset of the fires. The concurrent EOC’s were fully staffed and operated successfully in response to the ongoing pandemic, LNU and Glass Fires in 2020.

Response, Board of Supervisors: the Board of Supervisors agrees with the Public Health Officer/Deputy Director, OES and Risk Manager, and the Acting County Executive Officer.

R6. The County should also provide additional PIO resources so that the County government can more effectively, accurately, and proactively communicate with its residents about critical information. The County should, at a minimum, have separate PIOs for emergency operations and the County’s day-to-day functions. Additional resources should be allocated to develop public information support capacities throughout the County government, not just a single position at its center. This should include subject matter experts designated in key groups like Public Health who are trained and able to work on public information issues and assist those with PIO responsibilities. County residents deserve clear and informative communication from their government.

Response of Public Health Officer/ Deputy Director, OES and Risk Manager, Acting County Executive Officer: The recommendation has been partially implemented and is in progress. COVID was an extended activation - PIO turnover occurred during the pandemic for a number of reasons and the County moved quickly to staff this position with available resources (including departments providing support and hiring extra help staffing), but generally the plan is to have a County PIO and support within the departments. The County has developed a much larger EOC PIO structure that reflects the spirit of this recommendation. That structure is reflected in the roster and EOC PIO checklists, where additional positions are defined.

Response, Board of Supervisors: the Board of Supervisors agrees with the Public Health Officer/Deputy Director, OES and Risk Manager, and the Acting County Executive Officer.

R7. The EOC and the County's Response Plans for public health emergencies should include more detailed PIO/communication details than presently exist. They should define and allocate the needed communication approaches and resources and identify the technical and public information skills required to fill those roles. Communication plans should spell out available communication mechanisms, stress the importance of proactive communication to residents about the risks of the public health concern, and explain the importance of the treatment or vaccination and how to readily obtain it.

Response of Public Health Officer/ Deputy Director, OES and Risk Manager, Acting County Executive Officer: The recommendation requires further analysis. *Napa County's PIO / Communication response to the COVID pandemic was robust and extensive at the local level while simultaneously grappling with poor communication and coordination from State and Federal agencies relative to the early roll out of vaccine and public health guidance, Public Health and OES is working on an AAR jointly as this response involved many staff and partners outside of HHS. Public Health is updating COVID response and vaccination plans, and the messaging will be limited to COVID-19. Overall communication will be part of the AAR. As with all emergencies, including public health emergencies, the County has a general framework for PIO/ communication, however the framework must be flexible enough to adapt to each unique emergency and set of circumstances.*

Response, Board of Supervisors: the Board of Supervisors agrees with the Public Health Officer/Deputy Director, OES and Risk Manager, and the Acting County Executive Officer.

R8. Whenever a mass-vaccination effort is needed, the County should identify mechanisms to systematically deliver, directly or through healthcare providers, individual communication to each resident about the importance of receiving vaccination or other treatment and assistance to readily obtain them.

Response of Public Health Officer/ Deputy Director, OES and Risk Manager, Acting County Executive Officer: The recommendation requires further analysis. *This is an unrealistic aspiration, as it is impossible to guarantee that the government can systematically deliver tailored communication to every resident (and tracking the data to ensure that this has been successfully executed would be impossible). There is not one systematic way to communicate with all residents; NIXLE alerts are sent to those who sign up to receive them, newspaper articles , radio and social media posts are available to subscribers and updates. That said, the County has made robust efforts (including partnerships with healthcare systems, CBO's, data analysis performed by epidemiology team) to evaluate and address gaps in communication systematically and maximize the reach of the vaccination campaign messaging.*

Response, Board of Supervisors: the Board of Supervisors agrees with the Public Health Officer/Deputy Director, OES and Risk Manager, and the Acting County Executive Officer.

R9. The County should consider whether procuring a mobile clinic vehicle (or similar capability), along with sufficient staff to operate it, would assist PHD in their off-site vaccination efforts or other responsibilities.

Response of Public Health Officer/ Deputy Director, OES and Risk Manager, Acting County Executive Officer: The recommendation has been implemented. Public Health has received

COVID-19 funding which will provide additional funding until 2024. These funds are being used to purchase a mobile vaccination van, which has been approved with FY 2022- 2023 budget, and we are awaiting approval from the CDC to purchase the mobile van.

Response, Board of Supervisors: the Board of Supervisors agrees with the Public Health Officer/Deputy Director, OES and Risk Manager, and the Acting County Executive Officer.

REQUEST FOR RESPONSES

REQUIRED RESPONSES

The following responses are required pursuant to Penal Code sections 933 and 933.05:

- Napa County Board of Supervisors (R1, R2, R3, R4, R5, R6, R7, R8, R9)
- Napa County Chief Executive Officer (R1, R2, R3, R4, R5, R6, R7, R8, R9)
- Napa County Public Health Officer (R1, R2, R3, R4, R5, R6, R7, R8, R9)
- Napa County Emergency Services Officer (R1, R2, R3, R4, R5, R7)

Attaining Our Broadband Future In Napa County

FINDINGS

F1. Recent fires and the pandemic have demonstrated that all County residents need access to fast, reliable, and affordable broadband.

Napa County: the acting CEO agrees with the findings

BOS: the Board of Supervisors agrees with the acting CEO

F2. The digital divide in the County (and the challenges and inequities it exacerbates), has not been significantly narrowed since the 2017 fires; in fact, it may have widened.

Napa County: the Acting CEO agrees partially with this finding. *While we have some public tools available like the CPUC Service Map, to assess service levels and needs, there is no mechanism for local government to be able to determine whether the digital divide has narrowed or widened since the 2017 fires, especially because of the public tools that are available based on reporting from private service providers. Current law gives virtually all authority to the State and federal governments to regulate service providers. And because service providers do not disclose current or future infrastructure plans, there is no manner to determine how service levels have changed since the 2017 fires.*

BOS: the Board of Supervisors agrees with the acting CEO.

F3. While most County leaders interviewed expressed support for fast and reliable broadband for all County residents, analogous to a utility, few articulated any substantive perspective on how to achieve this goal or what steps have been taken to do so. 15

Napa County: the Acting CEO disagrees with this finding. *Not until SB 156 was passed last year has there been any substantial paths or funding for local governments like Napa County to expand broadband. Before 2021, there were very limited options for local government to expand service. With SB 156, for the first time, local governments will be able to compete with service providers to receive infrastructure funds to deploy funds. As such, while SB 156 regulations/guidance were being deployed – most of which is still not out – Napa County has been working diligently on developing plans to achieve our broadband goals. While some county leaders have more exposure to Broadband policy than others, it doesn't mean that the Board hasn't received updates regularly, multiple times annually since 2014.*

BOS: the Board of Supervisors agrees with the Acting CEO.

F4. In the past year, the broadband funding landscape has changed dramatically with Federal and State governments set to distribute billions of dollars through competitive grants to local governments and private providers.

Napa County: the Acting CEO agrees with this finding.

BOS: the Board of Supervisors agrees with the Acting CEO.

F5. The competition for broadband grants from other public entities and Internet Service Providers (ISPs), whose interests may not complement Napa County, is sure to be fierce.

Napa County: the Acting CEO agrees with this finding.

BOS: the Board of Supervisors agrees with the Acting CEO.

F6. Winning broadband grants will require the County to be prepared to compete. This will take extensive planning, adequate staffing, and coordination with County's cities and towns and other stakeholders.

Napa County: the acting CEO agrees partially with this finding. *Napa County's greatest needs in both broadband access and resiliency are in more rural, unincorporated areas. While partnerships with municipalities and other agencies, such as schools and state agency first responders are crucial to overall success, our focus has been on efforts that remain within the County and within our jurisdiction, which does not compel carriers to develop or partner on projects, regardless of potential financial incentive to offset build out costs. The above said, "extensive planning, adequate staffing" is required for projects funded through grants to be successful. The Counties two consultants, Magellan and CBG, have created both planning and development documents that will continue to be valuable reference points, even as we expand to include dedicated staffing to these efforts in early FY 22-23.*

BOS: the Board of Supervisors agrees with the Acting CEO.

F7. The County's leadership has not devoted sufficient time and resources to broadband strategic planning. Leadership is insufficiently aware of the decisions regarding strategic and tactical options and choices that they will need to soon make and has not demonstrated adequate urgency considering how soon the funding process will begin. Waiting for that process to be fully defined before taking action will leave the County even further behind at the starting gate.

Napa County: the Acting CEO disagrees wholly with this finding. *The Napa County Broadband team reports to the County's leadership on a regular basis. This includes updates to the CEO's Office and to the Board of Supervisors (BOS) through BOS meetings.*

The Broadband team also provided the County's comments on the California Public Utilities Commission's (CPUC) draft guidelines and rulings, which included comments that would benefit the County more.

The Broadband team has also been in communications with other non-elected leadership, such as a potential broadband opportunity involving Public Works and a vendor for broadband coverage in unserved/underserved areas. Napa County has not been waiting for processes and guidelines to be developed to prepare ourselves to be competitive. In fact, as an example, the development of the Action Plan and Roadmap during this last year has positioned us to be able to apply for the first grant, Local Agency Technical Assistance (LATA), made available on July 1, 2022, within weeks of its release.

BOS: the Board of Supervisors agrees with the Acting CEO

F8. Despite recommendations urging it to do so as early as 2018, the County has not developed a broadband strategic plan that sets forth its vision and includes priorities, defines the choices that will need to be made, and provides for personnel and a governance structure.

Napa County: the Acting CEO agrees partially with this finding. *The County has been a member of North Bay North Coast Broadband Consortium (NBNCBC) since 2014, participating in both regional and local meetings with carriers, developers and other interested parties to expand broadband access to all areas. While a strategic plan can help guide agencies, limited funding and existing partnerships with overarching goals, as detailed in quarterly and annual CPUC reports, made this less of a priority. A focus on better understanding the needs of our community through field testing, which continued to expand after 2017, 2019 and 2020 fires plus the Covid pandemic, laid the groundwork for our County to know what should be included in a strategic plan. Additionally, our County signed a Memorandum of Understanding (MOU) with Rural County Representatives of California (RCRC) in summer of 2021 that was meant to support counties in developing a strategic plan. Instead of waiting for the grant award, we began working on the Action plan and Roadmap. RCRC's grant application is still under review. Had we not worked on the Action Plan and Roadmap, we would not be positioned to apply for the LATA grant so early in the process. The County will be pursuing an independent strategic plan, which we anticipate the new Broadband Project Manager (BPM), when hired, to begin working on it later in 2022.*

BOS: the Board of Supervisors agrees with the Acting CEO.

F9. The County has not taken steps, as recommended by its consultants, to establish a lead County agency or department to review local policies affecting broadband across various County jurisdictions to ensure they are consistent, sensible, and broadband-friendly.

Napa County: the Acting CEO disagrees wholly with this finding. *Even though there isn't an official lead agency, the CEO office has been the oversight/lead on support for and management of increased time and effort for broadband access since 2014; multiple staff members in the CEO office have spent many hours collaborating with consortia counties, service providers, local and regional stakeholders, and assessing the overall areas within the county as its needs have continued to change, and is now hiring a dedicated BPM to manage this very important item. The County has obtained outside expertise/consultants over the last few years to facilitate a roadmap*

and action plan of needed service and to participate in ongoing consortiums and other agencies that are spearheading the broadband agenda for this region. This has and will benefit a full-time dedicated BPM that will step into this role with much of the legwork and background assessments identified.

BOS: the Board of Supervisors agrees with the Acting CEO.

F10. The County has only allocated part-time staff resources (for whom broadband is only one of many important roles), to work on broadband issues, whereas other similarly situated counties appear better prepared, staffed, and are much further along in their planning processes.

Napa County: the Acting CEO agrees partially with this finding. *While we agree that the County has only allocated part-time staff resources it is important to note that as work increased through the years, additional staff resources were assigned. Since 2014 the Broadband team has grown from one to five members. Acknowledging that work is only going to continue to increase, the Board approved a full time BPM to lead these efforts. We must disagree with the assertion that other counties are better prepared and much further along in their planning process. Despite not having a full-time staff person (because it wasn't warranted until now Napa County is prepared to compete. As stated in an earlier finding, the first application for a grant connected to SB 156 became available on July 1 - the CPUC's LATA Grant. The Broadband team with consultants were able to complete the application within weeks, in large part because of the Action Plan and Roadmap that was developed this past year.*

BOS: the Board of Supervisors agrees with the Acting CEO.

F11. Unlike neighboring counties, the County, its cities and towns, and other stakeholders have only recently started communicating with each other regarding their broadband needs. They do not seem prepared to coordinate strategies, development, the pursuit of grant funding, or project implementation.

Napa County: the Acting CEO disagrees with this finding. *The County began engaging with local municipalities and stakeholders in 2019 during the development of the Napa County Infrastructure Engineering Assessment and the Network Opportunity Analysis Report, which jump-started the planning for the current Action Plan and Roadmap. We anticipate more engagement and collaboration now that grants are becoming available, and the Middle Mile network is being designed.*

BOS: the Board of Supervisors agrees with the Acting CEO.

F12. The NCBP [Napa County Broadband Partnership] does not have a clearly articulated purpose or agenda that is understood by its participants and does not yet appear to be an effective stakeholder group.

Napa County: the Acting CEO agrees partially with this finding. While the partnership group has not met since November 2021, there were no action items or progress by the CPUC and State to warrant another meeting. Instead, we followed up with partners through a survey in early 2022. As with our municipal partners, we anticipate more frequent engagement and collaboration with our partners now that grants are becoming available.

BOS: the Board of Supervisors agrees with the Acting CEO

F13. While the County’s involvement with the RCRC, NBNCBC, and GSCA is positive, the speed with which the County is moving seems to be stuck in an out-of-date paradigm, when State and Federal funds were largely unavailable, and local agencies did not play a significant role in efforts to extend fast and reliable broadband availability.

Napa County: the Acting CEO disagrees wholly with this finding. While it may have appeared in the past that the speed with which the County was moving was slow, this was primarily due to the CPUC initially showing that the County had 97.3% broadband coverage (CPUC’s goal is 98%). With \$30K - \$35K funding provided by the CPUC starting in 2017, the County Broadband team engaged in ground truthing efforts and resident/business surveys on actual broadband coverage. With these results the team refuted claims by the internet service provider of sufficient broadband coverage in nine areas, and provided this data to the CPUC. At this time, the County has added more members to the Broadband team and joined a broadband consortium with neighboring counties, Marin, Sonoma and Mendocino. The speed of broadband work steadily increased after this point.

BOS: the Board of Supervisors agrees with the Acting CEO.

F14. There are no established ongoing forums for County residents, businesses, governmental units, schools, medical and emergency response, and others to identify and communicate with County leadership about their broadband needs, except about one-off access or service complaints.

Napa County: the Acting CEO agrees partially with this finding. NBNCBC’s quarterly oversight meetings are an opportunity for the public, businesses or service providers to bring forward concerns, discuss opportunities and better understand the broadband landscape in all member counties. While there are no active stakeholder groups, opportunities for those potential agencies have been significantly limited with virtually no funding to create or facilitate any projects. We anticipate that a more active and engaged community will begin in the fall of 2022 with the addition of a dedicated Napa County position and the first rounds of development funding being released for project development.

BOS: the Board of Supervisors agrees with the Acting CEO.

F15. The County has no priorities or queue of broadband projects that are “shovel-ready” for implementation, nor any resources available to identify such projects or supervise their implementation if they are funded.

Napa County: the Acting CEO agrees partially with this finding. Through the Broadband

team's work with CBG, the County recently completed a Broadband Roadmap that identifies potential projects in 13 areas throughout the County. These projects are not "shovel ready" because more work, and funding, is needed in scoping the construction and identifying partners to help scope that work, which includes environmental impact reviews, engineering design and construction cost estimates. The process to have "shovel ready" projects could not have occurred earlier since analysis and studies were required to be completed first. Importantly, preparing shovel ready projects before the State Middle Mile Network locations are identified could have resulted in wasted resources and efforts. Most, if not all, projects in our roadmap are Last Mile, which must be connected to the Middle Mile. We simply couldn't spend time on the former without the latter. It was not until April 2022 that the State Middle Mile Network locations were identified.

BOS: the Board of Supervisors agrees with the Acting CEO.

F16. Without proper preparedness to compete for broadband grant funding (including a coherent strategic plan, adequate staffing, resources, and County-wide stakeholder coordination) the County may not be as successful at acquiring funds as it should be, and efforts may remain ad hoc and passive.

Napa County: the Acting CEO agrees with this finding and maintains that the County is prepared.

BOS: the Board of Supervisors agrees with the Acting CEO.

RECOMMENDATIONS

R1. The Board of Supervisors and County Executive should, no later than October 1, 2022, prepare and execute a plan to better educate themselves about broadband issues and the choices that must be made.

Napa County: The recommendation requires further analysis. Broadband policy is highly complex and is constantly changing. To put an arbitrary date on when to educate the BOS and County Executive wouldn't make sense. While there is one member of the BOS appointed to be more involved with Broadband, other members receive regular updates, as needed. We anticipate now that activity is increasing, more regular updates will be given to the entire Board. Finally, in the newly created Broadband Project Manager responsibilities, education and updates to the public, BOS, and CEO is included.

BOS: the Board of Supervisors agrees with the Acting CEO.

R2. The County should develop and publish a Strategic Plan no later than December 1, 2022, that is not simply a list of possible projects proposed by contractors or private providers, but instead includes, at a minimum, (a) a County vision for broadband that addresses issues like reliability and affordability, (b) the specific broadband access and performance enhancement goals it expects to achieve, (c) the County's priorities (so that, if needed, choices can be made), (d) how the County plans to accomplish those goals, and (e) the County staffing and governance

structure to implement and oversee the plan.

Napa County: The recommendation has not yet been implemented. Napa County agrees that with additional funding and development opportunities, the benefit for a strategic plan is important. However, with the first rounds of funding only being released in July (LATA), no Middle Mile projects set to begin in our area imminently and other Last Mile funding unavailable as of yet, a December completion is not paramount. Our roadmap, developed in partnership with CBG, NBNBCB support and the focus that a dedicated position will bring, sets the groundwork for a speedy development.

A realistic timeline will begin in 2022, after we hire the BPM, and BOS approved by the end of Q1 2023.

BOS: the Board of Supervisors agrees with the Acting CEO

R3. The County should, no later than October 1, 2022, designate a lead agency or department, staff it with knowledgeable full-time resources, including a broadband project manager, and provide an adequate budget to help the County define its vision and priorities, understand grant authorities' policies and application procedures, coordinate with stakeholders, and prepare to compete for State and Federal funding in a well-organized, non-ad hoc fashion.

Napa County: This recommendation has not yet been implemented. As a note, the County Executive Office has been the lead agency since 2014 and will continue in this role going forward. A recruitment for a dedicated BPM is under way and should be in place by the end of calendar year 2022. Coordination with stakeholders started at the end of 2021 but will continue on a regular basis going forward. Finally, the Broadband team, working with CBG, is prepared to compete with State and federal funding, the first of which is the application of a LATA grant.

BOS: the Board of Supervisors agrees with the Acting CEO

R4. The County should, no later than December 1, 2022, create an effective and active stakeholder task force with a written purpose, scope, and timeline understood and agreed to by its members. The task force should (a) actively assist the County in developing a vision and strategic plan that addresses the needs of residents, local agencies, and commercial entities, and (b) help coordinate local partnerships to compete for, acquire, and implement grant funding.

Napa County: This recommendation has not yet been implemented. We believe that an active stakeholder group will help create the vision for our strategic plan and allow for robust grant applications and development opportunities in our County. The timeline for implementation and input by these groups will depend on several factors including our LATA grant application, Middle Mile projects, carrier interest and additional grant opportunities. Because of this, we cannot commit to a December 1 date. However, we believe a better approach is to develop stakeholder engagement strategies through the strategic planning process.

BOS: the Board of Supervisors agrees with the Acting CEO

R5. The County should, no later than December 1, 2022, establish and actively foster ongoing

forums for County residents, businesses, government, schools, and medical and emergency response entities to provide input and communicate with County leadership about their ongoing broadband access and telecommunication needs.

Napa County: The recommendation has not yet been implemented. Plans and discussions have started on how to better foster and engage with the public, including having a web presence. The Acting CEO agrees with the December 1, 2022 timeline.

BOS: the Board of Supervisors agrees with the Acting CEO.

Fire On The Mountain The Closure Of Old Howell Mountain Road: The Effect On Angwin Residents

FINDINGS

F1. Many Angwin residents interviewed stated they did not recall having received notice prior to the Napa County Board of Supervisors 'yes vote in favor of keeping Old Howell Mountain Road closed. The Grand Jury is aware that under the Brown Act, no more than 72 hours notice of any agenda item is required. But despite repeated efforts, the Grand Jury was unable to confirm that even so minimal a notice occurred. Moreover, given the level of local concern about Old Howell Mountain Road, more prominent notice and even the opportunity for a public hearing would have been appropriate. Had this happened, years of concern and confusion could have been avoided.

Response from the Acting County Executive Officer: disagrees with this finding. The item was discussed at two Board of Supervisors meetings. November 17, 2020 and December 8, 2020. Both agendas were posted on Thursday before the Tuesday meeting.

The Board of Supervisors agrees with the Acting County Executive Officer.

F2. These residents believe that they did not receive an explanation of why Old Howell Mountain Road was not repaired and they were not adequately represented in the decision making process.

The Acting County Executive Officer disagrees with this finding. Again, two public meetings were held to discuss the closure in addition to a number of meetings held in Angwin where there was an opportunity to discuss the status of Old Howell Mountain Road. Also see response to Finding 1 above.

The Board of Supervisors agrees with the Acting County Executive Officer.

F3. The residents of Angwin have been impacted multiple times by evacuations due to wildfires and want to have as many evacuation routes as possible, in order to avoid a tragedy like the Paradise, California scenario.

The Acting County Executive agrees with this finding.

The Board of Supervisors agrees with the Acting County Executive Officer.

F4. The Napa County Board of Supervisors caused unnecessary mistrust in their local government by not sufficiently communicating with Angwin area residents regarding the closure of Old Howell Mountain Road.

The Acting County Executive Officer disagrees with this finding. Multiple meetings were held regarding the closure of Old Howell Mountain Road. Also see response to Finding 1 above.

The Board of Supervisors agrees with the Acting County Executive Officer.

F5. Multiple agencies, including, Napa County Office of Emergency Services, Napa County Public Works, CalFire, Napa County Fire Department, and local construction companies have deemed the road unrepairable, due to a nearly three mile long section of unstable ground and other hazards; however, the Napa County Office of Emergency Services and the Napa County Board of Supervisors did not effectively communicate to the public their reasons for their decisions not to repair the road.

The Acting County Executive Officer disagrees with this finding. Multiple meetings were held and the reasons for not doing the repair were discussed . The Grand Jury did not interview the Risk Manager/ Emergency Services Officer.

The Board of Supervisors agrees with the Acting County Executive Officer.

RECOMMENDATIONS

R1. The Napa County Office of Emergency Services should hold a public forum with Angwin residents and explain the reasons for the closure of Old Howell Mountain Road. Other relevant agencies should be invited to attend.

Acting County Executive Officer response: The recommendation has been implemented.

Board of Supervisors response: the Board of Supervisors agrees with the response of the Acting County Executive Office.

R2. During this forum,, the Napa County Office of Emergency Services should explain feasibility and potential cost of repairing the road.

Acting County Executive Response: The Acting County Executive Office disagrees with this recommendation. The Office of Emergency Services is not the correct department to explain feasibility and potential cost of road repairs. The Director of Public Works did explain the cost and feasibility during the December 8 , 2020 public meeting at the Board of Supervisors as well as in other forums with residents.

The Board of Supervisors Response: the Board of Supervisors agrees with the Acting County Executive Office response.

R3. The forum should provide residents an opportunity to have their questions answered and to express their opinions about the decision to close Old Howell Mountain Road. This forum should take place before September 1, 2022.

The Acting County Executive Office Response: The Acting County Executive Office disagrees with the recommendation. The Board of Supervisors has held a number of public meetings regarding the closure. In general, Supervisors will continue to hold fire preparedness discussions throughout each of their Districts where the public is welcome to attend and ask questions.

REQUEST FOR RESPONSES

REQUIRED RESPONSES

The following responses are required pursuant to Penal Code sections 933 and 933.05:

From the following individuals:

- Napa County CEO, for Napa County Office of Emergency Services (F1 - F4) (R1 - R3)

INVITED RESPONSES

- Angwin Volunteer Fire Department Fire Chief (F1- F4) (R1 - R3)
- President, Angwin Community Council (F1 - F4) (R1 - R3)
- Napa County Board of Supervisors (F1 - F5)

The Napa County Airport Under The Radar: The Saga To Bring Napa's Airport Into The 21st Century

FINDINGS

F1. The existing Airport terminal and fixed base operations need renovation and updating to be more efficient, generate more revenue, attract more aviation, and present a better visual representation of the County.

Napa County: The Acting County Executive Officer agrees with this finding.

BOS: the Board of Supervisors agrees with the Acting County Executive Officer.

F2. The Airport operates as a County enterprise fund; its non-property tax revenues can only be used for the benefit of the Airport according to FAA grant assurances.

Napa County: The Acting County Executive Officer agrees with this finding.

BOS: the Board of Supervisors agrees with the Acting County Executive Officer.

F3. The Airport has a yearly operational deficit that can be addressed or reduced through increased lease revenue and fees and fuel taxes, which are unlikely to occur without terminal and fixed base operation renovation and updating.

Napa County: The Acting County Executive Officer disagrees with this finding. Airport does not operate at a deficit but does operate within a thin margin that would benefit from objectives to increase revenues to help implement needed capital improvement and maintenance projects at the Airport.

BOS: the Board of Supervisors agrees with the Acting County Executive Officer.

F4. In order to renovate and update the Airport terminal and fixed base operations, the County needs to (a) acquire a second FBO long-term leasehold *and/or* (b) negotiate a new consolidated lease with the existing FBO.

Napa County: The Acting County Executive Officer partially disagrees with this finding. Long-term leases with one or more FBOs is a commonly accepted way to achieve renovations and updates at an Airport. However, the County must conduct negotiations in compliance with FAA grant assurances related to exclusive rights, land banking, and economic non-discrimination. These FAA grant assurances limit the County's ability to simply negotiate a new consolidated lease with the existing FBO.

BOS: the Board of Supervisors agrees with the Acting County Executive Officer

F5. It is unknown whether the Airport can sustain two FBOs.

Napa County: The Acting County Executive Officer disagrees in part with this finding. All indications are, due to fuel sales and other factors commonly used in the industry that contribute toward sustainability, two FBOs are possible at the Airport.

BOS: the Board of Supervisors agrees with the Acting County Executive Officer.

F6. The County is obligated to adhere to its FAA grant assurances in its dealing with any FBO, including ensuring any leasehold does not violate provisions governing economic non-discrimination, exclusive rights and land banking.

Napa County: The Acting County Executive Officer agrees with this finding.

BOS: the Board of Supervisors agrees with the Acting County Executive Officer.

F7. Outside of the 2007 Airport Master Plan (which assumptions have been proven by time to be significantly inaccurate), there is not a current vision for the Airport that is endorsed by the Board, which addresses issues like the use of facilities, attraction of commercial entities, relationship to broader transportation planning or public engagement.

Napa County: The Acting County Executive Officer disagrees with this finding. The assumptions made in the 2007 Airport Master Plan are not inaccurate but have changed over time particularly related to assumptions regarding developable land. The Board has endorsed a vision for the Airport that includes: supporting two FBOs, upgrading facilities, supporting general aviation and the use of the airport by small aircraft, managing the airport to be financially self-sustaining, and not providing for commercial air service.

BOS: the Board of Supervisors agrees with the Acting County Executive Officer.

F8. The Board and Senior County Officials have often disagreed as to how best to renovate and upgrade the terminal and fixed based operations, including when to renegotiate with the Incumbent FBO, whether to acquire a second FBO, and the interpretation of its obligations under FAA grant assurances.

Napa County: The Acting County Executive Officer disagrees with this finding. The Board has been unanimous on all public decisions regarding the Airport and its operations.

BOS: the Board of Supervisors agrees with the Acting County Executive Officer.

F9. The County failed to keep Airport PMCDs current; failure to update them for approximately four decades caused delays in releasing the RFP.

Napa County: The Acting County Executive Officer agrees with this finding.

BOS: the Board of Supervisors agrees with the Acting County Executive Officer.

F10. After the County decided to use an RFP process to acquire a second FBO, it did not adequately think through the timeline and elements required (e.g., update PMCDs, complete an environmental assessment, etc.), leading to unrealistic timelines and expectations.

Napa County: The Acting County Executive Officer disagrees with this finding. Timelines within the RFP were reasonable but were prolonged due to COVID-19, related economic uncertainty, and negotiation factors.

BOS: the Board of Supervisors agrees with the Acting County Executive Officer.

F11. Failure to coalesce behind a two FBO strategy by all Board members and Senior County officials once the RFP strategy was adopted, led to FBOs (prospective and the Incumbent FBO) aggressively pursuing a sole FBO strategy in their proposals and discussions with the County, elongating and muddling the process.

Napa County: The Acting County Executive Officer disagrees with the finding. FBOs prefer a monopoly for obvious reasons – equates to a higher profit margin. The existing FBO and a RFP respondent FBO both proposed sole FBO services; however the Board has been unanimous on all public decisions regarding the Airport and supporting two FBOs.

BOS: The Board of Supervisors agrees with the Acting County Executive Officer.

F12. While the County provided updates regarding the RFP process to the Commission, its members felt the County was not transparent (i.e., overusing confidentiality for real estate negotiations concerns as an excuse) and did not adequately consult them; as a result many of its members questioned the purpose of the Commission.

Napa County: The Acting County Executive Officer partially disagrees with the finding. The Commission is an advisory body to the Board of Supervisors. It is not in the County's best interest to negotiate publicly for an FBO. Under FAA regulations, the contract term is 30 years. Given the amount of investment and term-length it is in the best interest of all parties to have confidential negotiations. The Board shared information in public as soon as it was in the best interest of all concerned.

BOS: The Board of Supervisors agrees with the Acting County Executive Officer.

F13. The County should have managed expectations better and been more transparent by having a communications plan which included more formal stakeholder check-ins, data sharing, repeated reminders of strategic goals, robust process status updates, and proactive public outreach.

Napa County: The Acting County Executive Officer disagrees with this finding. Given the amount of investment and term-length it is in the best interest of all parties to have confidential negotiations. The Board shared information in public as soon as it was in the best interest of all concerned.

BOS: The Board of Supervisors agrees with the Acting County Executive Officer.

F14. Allegations from multiple interviewees with first-hand knowledge that closed Board sessions were misused/overused are credible.

Napa County: The Acting County Executive Officer disagrees with this finding. No evidence is provided to support this claim.

BOS: The Board of Supervisors agrees with the Acting County Executive Officer.

F15. Allegations from multiple interviewees with first-hand knowledge that confidential information was leaked by non-County staff from closed Board sessions to entities and individuals who were not authorized to receive that information, including FBO entities involved in negotiations with the County, are credible.

Napa County: The Acting County Executive Officer disagrees with this finding. While the County has no evidence to support this claim, there is sufficient anecdotal evidence to support the appearance and concerns about such potential impropriety. The County will provide training to those participating in closed sessions as to their responsibilities regarding confidentiality.

BOS: The Board of Supervisors agrees with the Acting County Executive Officer.

F16. Overuse of closed sessions, leaks and a failure of the Board and senior County officials to act in a unified manner, complicated and undercut the RFP process, undermined staff, complicated negotiations, and elongated the process.

Napa County: The Acting County Executive Officer disagrees with this finding. Similar to Finding 15 above, the County has no evidence to support this claim. The County will provide training to those involved regarding this situation.

BOS: The Board of Supervisors agrees with the Acting County Executive Officer.

RECOMMENDATIONS

R1. By January 1, 2023 the Board should articulate and publish a clear written vision for the Airport which provides for the modernization of the Airport, accommodates Napa County's residents, tourism, and business needs, integrates with other transportation planning, and articulates a meaningful role for the Commission, while also remaining true to the character and values of Napa County.

BOS: Board of Supervisors Response: The recommendation has been implemented. The Board has articulated a clear vision which includes two FBOs, improved facilities, and maintaining the Airport as a valuable general aviation asset that ensures independent financial stability.

R2. In order to ensure the County is more transparent in the future, the Board and County Executive should complete a review by January 1, 2023, of the process to acquire a second FBO to determine how it could have been more transparent and managed expectations better and present its findings and recommendations during a public Board meeting.

BOS: Board of Supervisors Response: The recommendation will not be implemented because it is not warranted and is not reasonable. Awarding an FBO contract occurs every 30 years and is unique. It is not a good investment in taxpayer money to spend time on this review.

Napa County: Acting County Executive Officer's Response: The Acting County Executive Officer agrees with the Board.

R3. By October 1, 2022, the Board should undertake a review of its use of, and the procedures associated with, closed sessions, to ensure that they are in accord with statutory requirements and further the interests of open government; its findings and recommendations should be presented in a public Board meeting.

BOS: Board of Supervisors Response: The recommendation will not be implemented. The Board has and will continue to conduct closed sessions in accordance with statutory requirements.

R4. By October 1, 2022, the Board should undertake a review of its procedures to ensure that information that should remain confidential during closed sessions is not inappropriately communicated to non-authorized entities and individuals; its findings and recommendations should be presented in a public Board meeting.

BOS: Board of Supervisors Response: The recommendation will not be implemented. The Board has and will continue to keep confidential closed session discussions.

R5. For fiscal year 2023, the Napa County Auditor-Controller should consider internal reviews/audits of (a) the Airport FBO RFP process, (b) the controls and processes governing the use of closed Board sessions, and (c) the controls and processes used to safeguard the confidentiality of information associated with County RFP processes and contractual negotiations.

R5(a) Napa County: Will be implemented within 12 months of publication

R5(b): Napa County: Will not be implemented

R5(c): Napa County: Will not be implemented.

REQUEST FOR RESPONSES

REQUIRED RESPONSES

The following responses are required pursuant to Penal Code sections 933 and 933.05.

- Napa County Board of Supervisors (R1, R2, R3, R4)
- Napa County Chief Executive Officer (R2)
- Napa County Auditor-Controller (R5)

Office Of The Public Defender Equal Justice For All?

FINDINGS

F1. A guilty plea can have serious consequences for any misdemeanor defendant, including an increase in potential penalties on future charges.

The District Attorney agrees with this finding.

The Public Defender agrees wholly with this finding.

The Board of Supervisors agrees with the Public Defender.

F2. A guilty plea by a non-citizen misdemeanor defendant can have additional serious consequences, including immediate deportation on the charges, or deportation on future charges.

The District Attorney agrees in part. A guilty plea by a non - United States citizen misdemeanor defendant can have additional serious consequences including deportation or removal on the charges and / or deportation or removal on future charges. I know of no procedure, policy or set of circumstances that would result in an immediate departure.

The Public Defender agrees wholly with this finding.

The Board of Supervisors agrees with the Public Defender.

F3. There are likely cases where unrepresented misdemeanor defendants pleaded guilty without full comprehension of the potential consequences on their immigration status or future penalty increases.

The District Attorney agrees with this finding.

The Public Defender agrees wholly with this finding.

The Board of Supervisors agrees with the Public Defender.

F4. Where a Public Defender is appointed, the potential for a defendant to make a fully informed response to a proffer, i.e., a proposed resolution, is much greater.

The District Attorney agrees with this finding.

The Public Defender agrees wholly with this finding.

The Board of Supervisors agrees with the Public Defender.

F5. Avoiding the unintended consequences described above would be enhanced if there was a Public Defender in the courtroom at every arraignment.

The District Attorney agrees in part. I would agree that if pleas are going to be taken by the court at arraignment, the presence of a Public Defender would increase the likelihood that criminal defendants understand the consequences of their plea.

The Public Defender agrees wholly with this finding.

The Board of Supervisors agrees with the Public Defender.

F6. Funding of an additional attorney in the Office of the Public Defender would enable the office to provide a Public Defender at virtually all misdemeanor arraignments.

The District Attorney can not agree or disagree with the finding as the office has no independent knowledge of the budgetary and / or staffing issues faced by the Public Defenders' Office.

The Public Defender agrees partially with this finding. The Court currently hears misdemeanor out-of-custody arraignments at 8:30 am in three separate Courtrooms.

F7. Given present resources and staffing, the Public Defender's office provides consistently high-quality representation to defendants in the cases in which it is appointed.

The District Attorney agrees with this finding.

The Public Defender agrees wholly with this finding.

The Board of Supervisors agrees with the Public Defender.

RECOMMENDATIONS

R1. This Grand Jury recommends that the Board of Supervisors consider funding the Office of the Public Defender to support an additional attorney with the priority of attending misdemeanor arraignments not otherwise covered, and handling other work as needed.

The District Attorney agrees in part. This issue is easily remedied by asking the court not to take pleas of unrepresented misdemeanor defendants. If the court is amenable to a collaborative approach to these important issues and the Public Defender is in need of extra staffing, I would join in the recommendation.

Response, Public Defender: this recommendation requires further analysis.

The Board of Supervisors agrees with the Public Defender that the recommendation requires further analysis.

REQUEST FOR RESPONSES

REQUIRED RESPONSES

The following responses are required pursuant to Penal Code sections 933 and 933.05:

From the following individuals: The following responses are required pursuant to Penal Code sections 933 and 933.05:

- The Napa County Board of Supervisors: F1, F2, F3, F4, F5, F6 and F7. R1.
- The Public Defender: F1, F2, F3, F4, F5, F6 and F7. R1.
- The District Attorney: F1, F2, F3, F4, F5, F6 and F7. R1.