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Current Jail

When opened, the jail was intended to house inmates who were:

1. Awaiting court (bail) hearing;
2. Awaiting trial and could not make bail; or,
3. Sentenced to incarceration for one year or less

In 2011, under federal court order, California enacted the Public Safety Realignment Act to alleviate overcrowding in its state prisons. This law resulted in county jails having to house more criminally-sophisticated felons who serve longer sentences. Napa Jail officials started to see an increased need for maximum-security cells and less need for minimum-security beds.

The 6.0 earthquake that rattled Napa in August 2014 further exacerbated Napa's Jail capacity issue. Damage from the earthquake necessitated immediately moving more than 40 inmates to Solano County's jail due to unsafe conditions at the Napa facility. This displacement cost the county approximately \$1.8 million for fiscal 2016-17 alone. With the inmates safely removed, the jail underwent \$2 million in earthquake repairs and \$6.5 million in basement upgrades. Upon completion, those inmates were returned to Napa in March 2018. Other important upgrades planned at this facility, with no completion timeline available, include the freight and security elevators, as well as a fire smoke-sealing project, a preventative safety measure.

Is a New Jail Needed?

Through research and interviews, the 2017-18 Napa County Grand Jury agrees with County executives that a larger and more up-to-date jail facility is necessary. One important reason is the 2011 Criminal Justice Realignment Act (AB109 and AB117), which moved many low-level offenders, who would normally have been incarcerated in state-managed facilities, to be housed, instead, in county jails. This significantly increased the inmate population. Since Realignment, certain felons are being housed in jails, increasing the inmate population.

Another reason for a new jail is that the current facility is less secure than newer jails, which possess the latest security technology. Currently, there are areas where visual and video monitoring are not available, which increase the risk of harm to both correctional officers and inmates. Inmate crowding, coupled with the lack of effective security, resulted in an increased number of assaults on correctional officers since 2011.²

The 2014 Napa earthquake caused 25 percent of inmate housing to become unusable, overcrowding the facility even more. While a significant portion of the repair expense was covered by insurance, substantial money and time were required for prisoner transport and out-of-county housing. New buildings, having much higher earthquake standards, should prevent such costly crises in the future.

² Napa County Grand Jury 2014-2015 "Jail and Department of Corrections," pg. 7

Other reasons for a new facility include the current jail’s aged design, gang member violence, and maintaining inmate Title 15 standards. Also, a new jail will reduce the County’s exposure to lawsuits, which create more financial burdens on the County.

Federal and State evidence-based practice initiatives now mandate that mental health/addiction counseling and job training become key components of jail programming. However, the existing jail has virtually no classrooms or facilities to assist with rehabilitation, since it was designed when “time behind bars” was standard protocol. A new facility addresses these issues.

METHODOLOGY

Tours of the Napa County Jail (See Appendix B)
Interviews with senior Napa County Department of Corrections management
Interview with Napa County staff analyst
Interview with member of Debt Financing Committee
Interview with Public Works jail project lead manager
Attended CCP meetings
Attended BOS meeting
Review of 10 prior Napa County Grand Jury Jail reports
Creation of a working timeline
Review of various documents (see Bibliography)

DISCUSSION

Jail Construction Timeline Clarity

The 2017-2018 Napa Grand Jury finds the accuracy and transparency of new jail construction is confusing or non-existent. When the Grand Jury began this investigation, the County website framework (which had been implemented and copyrighted in 2009) contained a section which included information and timeline updates for the proposed new Napa County Jail. However, the Jury noted that the last update to this new Jail information was posted in November 2015. During the Jury’s investigation, Napa County released a new and improved County website framework and design in December 2017. This new site has not included new, updated information regarding construction of the Re-entry Facility or Jail development milestones. To address the confusion surrounding jail construction and funding, the Napa 2017-18 Grand Jury created a construction and funding timeline based on its investigation, which can be found in Appendix A.

Since first being discussed by the BOS in 2007, the new Jail plan has been revised multiple times, with numerous changes to the number of cells/beds, building phases, timelines and budgets. Ultimately, the various plans were consolidated into a single project, consisting of a 304-bed facility with an additional 28 specialized medical/mental health beds. The current estimated new jail cost is \$128 million. There are currently no plans to raze the old jail. None of this recent information has been updated on the County website.

In addition to the jail, county officials broke ground in June of 2017 on a 72-bed Staff Secure Re-entry Facility, at 2300 Napa-Vallejo Hwy, near Syar Industries. This facility is separate of

jail construction and funding, adding more confusion to the public’s understanding of these independent projects.

Jail Funding

In June 2016, Napa County voters rejected Measure Y, which would have authorized a quarter-percent sales tax increase to fund a new jail. As a result, the BOS has been studying alternative funding sources for several years.

The current estimated project cost of the new jail is \$128 million. On May 15, 2018, County staff presented a Jail funding plan to the BOS. At this meeting, the staff discussed using Excess ERAF (see glossary) funds over the next three years to help pay for the new facility. Given the continued declining enrollment in the NVUSD, and barring any changes in state-mandated school funding, the County believes that \$34 million in Excess ERAF funds can be put toward the new Jail.

Staff did note that two bills in the Assembly could reduce or eliminate Excess ERAF. AB2808 “would eliminate excess ERAF in Napa County.” That bill cleared the Assembly on May 31, 2018 and is now in the Senate. AB3707 “tabs ERAF as a funding source” for redevelopment. It is still in Assembly committee. Should AB2808 become law, a hole in the jail-financing plan up to \$34 million could exist.

With current cash and commitments, including state bond money and planned sale of real property, as well as the ERAF funds, the County was still facing a \$20 million budget gap. It was ultimately decided to fund the debt through COPs and Tobacco MSA funds. The BOS approved this plan at its May 22, 2018 meeting, stipulating that up to \$6.2 million in MSA reserve funds would be used for the jail, with the remaining debt financed through Certificates of Participation (COPs). The MSA funds that are received by the county on an annual basis will continue to be used for community grants.

At the May 22, 2018 BOS meeting, the County produced the following list of revenue sources to fund the Jail, which the Board approved:

Source	\$ Amount
Cash in Project	6,000,000
Current Jail Commitment	32,000,000
Projected Cash Inflows (Excess ERAF)	34,000,000
State Grants	23,000,000
Sale of Real Property	13,000,000
Debt Issuance	20,000,000
Total	128,000,000

Staff Secure Re-entry Facility, Timeline, and Funding

Independent of the new jail, a groundbreaking ceremony was held for the Staff Secure Re-entry Facility in 2017. This 23,000 square-foot facility at 2300 Napa Vallejo Highway began construction in earnest in early 2018. Construction is expected to be completed in the fall of 2018, with inmate occupancy after a mandatory 3-month staff training time period.

The Re-entry Facility, classified as a Type IV facility, is designated for eligible inmates to participate in work/education furlough and/or other programs involving inmate access to the community. The Napa Department of Corrections will manage the facility security and custody concerns. Napa County Probation Department will manage training/mental health programs and other external inmate services. The partnership between Napa County's probation and corrections departments stands as a unique model recognized statewide.

In line with State goals, this facility is part of a "systematic approach to spending the funding the County receives from the State for Realignment."³ This facility creates less-correctional, more-residential, staff-secure programming that would serve as a transitional step for eligible inmates moving back to the community. Additionally, the facility reduces the need for more expensive incarceration housed in the County jail. Inherently, the mission of this staff-secure facility is the ability for inmates to have flexibility to pursue work, educational, program, and social opportunities in the community to assist them in their transition out of custody. The Re-entry Facility will offer cognitive behavior programs and skill development training. This provides an opportunity for individuals to go into the community for approved purposes (i.e. jobs, classes, etc.) helping them learn how to be productive members of their community. The main goal is to reduce chances of re-offending.

Eligibility for engaging in Re-entry Facility programs will be determined jointly by DOC and Probation staff to ensure appropriate participation. Participants at the Re-entry Facility are recommended to stay at least 60 days in the facility, up to 12 months. However, for "optimal programming progression, the majority of offenders should stay in the facility for at least 180 days."⁴

The Re-entry Facility will have four separate wings with laundry, kitchen, and restroom features for use by the inmates. The 4 wings will provide separate housing for male, female, and other inmates separated appropriately. Inmates with employment will be allowed to work at their jobs offsite during the day. Unemployed inmates will receive job training at the facility. Substance abuse, life skills, critical thinking, anger management, and gender-specific curricula for females will be provided as well. Security features will include window and door alarms, cameras, drug/alcohol monitoring systems, and search and testing protocols to protect the neighboring community. An unauthorized "walk away" from this program will be considered an "escape."

³ Staff-Secure Facility supporting document to BOS February 26, 2013 meeting link in Bibliography

⁴ *ibid*



Re-entry Facility construction progress, May 17, 2018. Grand Jury photo.

The facility was built through state lease-revenue bond funding. The County applied for funding through Senate Bill 1022, winning an award of nearly \$14 million. The remaining \$3 million came from the County’s General Fund and Realignment money.

Follow-up: Correctional Officer Retention

A significant concern with the DOC is the high turnover rate of Correctional Officer recruits. The training of replacement officers and paying overtime to cover shifts has become very costly. To address this issue, the BOS adopted Resolution 2017-160, effective October 1, 2017. This established a “Hiring and promotional incentive pilot program policy” to help fill vacancies “designated as hard-to-fill and those which require specialty trainings or degrees.” This four-year pilot program for Correctional Officers I/II—among other hard-to-fill positions—consists of 5 incentive policies:

1. A \$5,000 maximum signing bonus: paid fully after completing probation;
2. A \$750 referral bonus: paid to employees who refer qualified candidates who pass probation;
3. Advance Vacation Accrual: qualified candidates who are employed in hard-to-fill vacancies can receive credit for their prior years’ service in organizations other than Napa County;
4. Student Loan Forgiveness: Qualified candidates can receive up to \$30,000 of student loan forgiveness for a minimum of 60 college credits while employed with Napa County; and
5. Inter-agency Promotions: DOC staff in hard-to-fill positions are eligible to apply for promotions from the DOC to the Sheriff’s Department after three years of satisfactory employment.

The first Correctional Officer recruits began employment in early 2018 under this new incentive-based plan, so it is still too early to measure the program’s success.

Follow-up: Control Room and Basement Construction

Napa County inmates temporarily housed in Solano County after the earthquake returned to the newly-completed basement renovation in March 2018. Simultaneously, the new control room began partial operations. Video recording systems, digital intercoms, and other security systems are now undergoing testing while new equipment is being installed. The Control Room project is estimated to be completed by July 2018. The Control Room and remodeled section of the existing jail, used for inmates awaiting court appearances, will remain in use after inmates are transferred to the new jail upon its completion.

FINDINGS

The 2017-18 Napa County Grand Jury finds that:

- F1. The new jail and Re-entry Facility construction timelines and funding have been and continue to be confusing to the public.
- F2. Funding and financial instruments for the new jail are complicated; the taxpayers are not fully informed of funding sources and the effects of the options.
- F3. The Re-entry Facility will assist inmates transitioning back to the community.

RECOMMENDATIONS

The 2018-17 Napa County Grand Jury recommends that:

- R1. Napa County Board of Supervisors direct appropriate staff to produce a dedicated, easily-accessible timeline on the County website that informs Napa County residents of the progress and funding of the jail by October 1, 2018.
- R2. The Board of Supervisors generate greater publicity for all proposed funding sources of financing, holding public hearings throughout the County to justify the need and rationale for the use of particular funding mechanisms by October 1, 2018.
- R3. The Board of Supervisors evaluate the pilot program after its conclusion on September 30, 2021.

REQUEST FOR RESPONSES

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows:

From the following governing bodies:

- Napa County Board of Supervisors; F1- F4; R1, R2

INVITED RESPONSES

Director of Corrections; F4

COMMENDATIONS

The Grand Jury commends the Napa County Department of Corrections and the Probation Department managements for their collaborative efforts in the construction and operation of a transitional correctional facility.

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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APPENDICES

APPENDIX A: Napa County 2017-18 Grand Jury JAIL TIMELINE

The Grand Jury Builds Its Own Timeline

- In 2004, the Napa Board of Supervisors created a Criminal Justice Committee (CJC) to assess the local criminal justice system and its effect on jail use.
- In 2007, the BOS adopts Adult Criminal Justice Master Plan, which includes recommendations to expand programming, job training opportunities, and planning for a new jail. The Carey Group (an evidence-based practices consultant) and “Carter Goble Lee,” (design and management services to correctional facilities) reported to county staff, making several recommendations regarding the condition of the jail and the adoption of evidence-based practices (EBP) designed to reduce recidivism.
- October 2011, the Public Safety Realignment Act of 2011 resulted in low-risk felons in State facilities be remanded to local jails. Having a more serious criminal history, they brought with them a “prison mentality.”
- In 2012 and 2013, the BOS adopted a Strategic Financial Plan, which emphasized setting aside funding for a new jail. The Community Corrections Partnership (CCP) proposed the development of a new 366-bed jail facility and a 50-bed re-entry facility.

- Sept 2013, the county purchased 27 acres at 2300 Napa/Valley Highway, adjacent to Syar Industries, for the purpose of constructing a 72-bed re-entry facility and future jail. The Staff Secure Re-entry Facility would be staffed by Probation and run by Napa County Department of Corrections.
- October 2013, the BOS applied for SB 1002 conditional funding of \$14M for design and construction of a re-entry facility. Resolution 2013-124 states county required to pay a portion of costs.
- January 2014, Napa county was awarded nearly \$14M in revenue lease bonds for constructing adult criminal justice facilities.
- August 2014 South Napa earthquake caused significant damage to downtown jail. Some inmates are sent to Solano County jail. Repairs to the building are still under construction (as of this writing).
- August 2015, Napa county applied for additional \$20M in state lease revenue bonds under SB 863 for jail construction. Resolution 2015-105.
- November 2015, the county is awarded partial funding of \$2.8 from state lease revenue bonds.
- June 2016 Election, Napa County voters turned down the quarter-cent sales tax to provide “much of the funding” for a \$103M, 256-bed jail.
- April 2017, BOS applied for SB 844 state lease revenue bond financing.
- June 2017, County officials break ground on the construction of Re-entry facility. Napa Valley Register reports facility costs are \$17M with state providing \$13.5M. Remaining money from the county’s General Fund and funds dedicated to criminal justice activities.
- 2017/18 County staff consider ways to fund the estimated gap of \$70M to pay for the new jail.
- February 2018, Napa County Department of public Works posted it was seeking statements of qualifications (SOQs) from qualified architectural firms for design services required for the construction of a new jail. Facts included in the SOQs include: 304-bed jail; completion by fall 2021; 28 beds reserved for medical/mental health; estimated project cost of \$128 million. Total funding from SB 844 and SB 863 to total \$22.8M with the balance of project costs funded through “cash and debt financing.”

- March 2018, all inmates held in Solano County Jail are returned to the completed basement section in the Hall of Justice.
- May 15, 2018, Napa County staff presents funding options to the BOS. The gap in funding is presented as \$20 million. No Board approval takes place at this meeting.
- May 22, 2018, the BOS approve the funding to include excess ERAF money, issuance of COPS up to \$20 M, MSA fund balance, and intent to use annual MSA revenue for the community grant program.
- Fall 2018, Re-entry facility estimated completion with occupancy within 90 days.
- September 2021 (present estimation) new jail completion. The basement in Hall of Justice to be occupied by inmates ready for court appearances.

APPENDIX B

Jail Tour

The grand jury toured the Napa County jail facility, located in downtown Napa, on November 14, 2017. Two subsequent tours allowed jury members to access areas unavailable on the initial tour. The director of the Department of Corrections conducted each tour. In general, and by its own description on the Napa County website (©2017), “the jail is an aging and deteriorating facility and it does not have many of the important facilities and services that maximize safety and health of officers and inmates.” Damage from the August 2014 earthquake is still visible.

The Napa jail inmate population on November 14 totaled 196. An additional 47 inmates were housed in Solano County’s jail as a result of the 2014 Earthquake damage. Of the 243 inmates, 200 inmates were male, 43 were female; 172 were pre-sentenced, 71 post-sentenced. Forty-two inmates were assessed as mental health inmates requiring a single cell each. The percentage of felony-convicted inmates is approximately 87 percent.

Jury members requested the tour begin at the sally port entry where a new arrestee would enter, followed by the initial booking area. Correctional officers determine risk classification in this area.

We observed both single and multi-inmate cells, as well as dormitory-style living areas. At least one cell had boat beds (plastic, canoe-shaped trays designed for sleeping) on the floors, a result of overcrowding. Cells and hallways were clean and mostly free of graffiti.

We also observed six medical cells and the medical unit staffed by California Forensic Medical Group (CFMG). On November 14, seven inmates with severe mental health issues were waiting to be transferred back to Napa State Hospital.

Kitchen and laundry areas are staffed by inmates who appeared to be performing their jobs well and efficiently.

The new Control Room, with a redundant system, has an expected completion of spring 2018. Inmates being transferred from the building to courtrooms travel through a tunnel, or corridor. There are clear lines of demarcation where inmates walk; red emergency call buttons are along the walls, here and in other sensitive areas of the jail.

There are two visitation areas, one for inmates and their attorneys, the other for general visitation. Only the conversations between attorney and client (inmates) are unmonitored. Exercise yards are empty of exercise equipment due to safety issues. Overhead netting has been installed to prevent drones from dropping contraband into the yard. Exercise time, mandated at 1 hour per inmate per day, is challenged by the need to segregate inmates by sex or gang affiliation to avoid volatile situations.

At the time of our tours, the basement was still under construction. Its estimated time for completion, which would include the return of inmates housed in Solano County, was January 2018.

We found all staff we met were collegial. While sharing knowledge of inmates, they expressed respect.

Inmate housing areas include:

- Temporary
- Observation
- General population
- Protective custody
- Maximum security
- Special housing
- Medical unit.



**NAPA COUNTY GRAND JURY
2017-2018**

June 14, 2018

FINAL REPORT

Empty Beds: Juvenile Hall Review

Empty Beds: 2017-2018 Napa County Grand Jury Juvenile Hall Review

SUMMARY

Rehabilitation and treatment, rather than incarceration, is the primary goal of the California juvenile justice system and has been for more than half a century. This is the focus of Napa County Juvenile Hall through its organization, management, and programming.

The 2017-2018 Napa County Grand Jury toured the Juvenile Hall facility twice, each time noticing that the number of youth housed was less than 20. Since the facility is capable of housing 50 youths, the space is considerably underutilized. Many counties throughout the state find themselves in similar situations due to declining juvenile arrest and detention rates in California since 2007.

Napa County officials were approached by a neighboring county about the possibility of consolidating juvenile hall operations. While this might increase cost efficiency for the municipalities, this would cause new challenges for the juveniles in residence. Specifically, moving juveniles farther away from their homes would make family visits and transportation more difficult. It would also remove them from their local educational programs. Napa ultimately dropped the idea of consolidation. It is hoped that current and future policies and initiatives may increase the utilization of Juvenile Hall.

In an interview with management, the grand jury learned that the county-wide criminal justice computer system is now serving all of the member departments except Juvenile Hall. It is expected to be completed by fall of 2018. This custom-designed system will be beneficial to Juvenile Hall.

The grand jury finds that the activities and services provided to Napa County Juvenile Hall youth are suited to the current juvenile justice philosophy of rehabilitation, not incarceration.

GLOSSARY

BSCC [California] Board of State and Community Corrections: Formerly Corrections Standards Authority, the BSCC was established in 2012. It is an independent statutory agency that provides leadership to the adult and juvenile criminal justice systems. It inspects for compliance of standards, in addition to several other responsibilities.

CJCJ (Center on Juvenile and Criminal Justice): CJCJ is a nonprofit, nonpartisan organization whose mission is to reduce society's reliance on incarceration as a solution to social problems. In pursuit of this mission, CJCJ provides direct services, technical assistance, and policy analysis that work in unison to promote a balanced and humane criminal justice system designed to reduce incarceration and enhance long-term public safety.

EBP (Evidence-based practices): EBP places an emphasis on achieving measurable outcomes, and making sure the services provided and the resources utilized are effective. It involves using research-based and scientific studies to identify interventions that reliably produce significant reductions in recidivism, when correctly applied to offender populations, through the use of four

principles of effective intervention. [BSCC] See also: University of California at Irvine Center for Evidence-Based Corrections. www.ucicorrections.seweb.uci.edu.

Juvenile Hall (Defined by the BSCC): A county facility designed for the reception and temporary care of youth detained in accordance with the provisions of Title 15 Minimum Standards for Juvenile Facilities and the juvenile court law.

Proposition 64: Effective November 9, 2016, in part, legalizes specified personal use and cultivation of marijuana for adults 21 years of age or older and reduces criminal penalties for adults. It amends existing statutes to provide that most marijuana related offenses for minors are infractions.

SB1004, Young adults: deferred entry of judgment pilot program. Napa, one of five pilot counties, shall allow “certain transitional age youth access to age-appropriate rehabilitative services available in the juvenile justice system when an assessment determines that the individual would benefit from the services, with the aim of reducing the likelihood of the youth continuing in the criminal justice system.”

Youth (formerly Minor) (Defined by Title 15, Minimum Standards for Juvenile Facilities):

“A person who is in the custody of the juvenile detention facility. This person may be under 18 years of age or over 18 years of age. This includes persons whose cases are under the jurisdiction of the juvenile court and persons whose cases are under the jurisdiction of the adult court.”

BACKGROUND

As required by California Penal Code §919(b) and §921, the grand jury is charged with inquiring into the condition and management of the detention facilities within the county. Such an investigation points out issues important not only to the efficiency and collaboration within the criminal justice systems within the county, but for the benefit of the youth served by the county facility.

Napa County was one of the original counties in California when it became a state in 1850. At that time there were no correctional facilities for juveniles in California. Reform schools were the first facilities in California to house juvenile offenders. It was not until 1909 that county juvenile halls were established and Napa County opened its first juvenile hall in 1954. It was designed to house 26 detainees. Prior to the county juvenile hall, youth were sent to the Alameda Juvenile Hall.

By 2003, the facility was deemed to be old and in need of replacing. The new Napa County Juvenile Hall (NCJH) was constructed in 2004 and opened its doors adjacent to the old facility in 2005. The new 43,000 square-foot, two-story facility was a phased project that included demolition of the existing 8,200 square foot housing unit and remodel of the 8,066 square foot remaining juvenile court and probation office building.

The NCJH is run by the Probation department. It is a 24-hour/365-day secure facility with a capacity for 50 youth. The typical length of stay is from 17-24 days. Upon its completion in

2005, the facility housed an average daily population (ADP) of 40 youth, nearing its capacity. It has consistently run well under-capacity for the last decade. The NCJH considered consolidating juvenile detention facilities with a nearby county, but decided not to pursue the idea.

In February 2014, the BSCC's Juvenile Justice Standing Committee published a report detailing the principles of juvenile justice in California, including information technology (IT) systems and case management. The report concluded that modern data systems are necessary to optimize justice performance measures. Also, comprehensive data regarding operations and outcomes should be "transparent and accessible." Prior to the BSCC report, The Criminal Justice Information Management System (CJIMS) of Napa County was reviewed, and recommendations were made to upgrade the system.

While conducting our review of the NCJH, the BSCC provided its biennial final report following its inspection on December 5-6, 2017. This extensive inspection covers Title 15 Procedures and Checklist requirements, a physical plant review outlining Title 24 requirements, and a Living Area Space Evaluation (LASE). Local agency inspections, which are incorporated into the BSCC report, include county fire, building inspectors, health officers, Superintendent of Schools, and others.

METHODOLOGY

Interviews

- Multiple interviews with members of Juvenile Hall facility management
- Informal interviews over lunch with NVJH youth
- Informal interview with Juvenile Hall teacher

Tours

Our tours included the following areas:

- Sally Port (a secure entry for youth in police/law enforcement vehicles)
- Control Desk
- Outside Recreation Area
- Kitchen
- Library and Classroom
- Occupied Youth Housing/Dining Area
- Unoccupied Youth Housing/Dining Area
- The "Rewards Store" (an in-house canteen where youth can exchange behavior-points for toiletries or other items)
- Video Psychiatric/Treatment Counseling Room
- Holding Area

DOCUMENTS REVIEWED

See Bibliography at the end of this report

DISCUSSION

The 2017-2018 Napa County Grand Jury took a fresh look at the current state of and potential changes to the Napa County Juvenile Hall. State laws regarding marijuana and its use/possession along with statewide measures now focusing on rehabilitation—as opposed to incarceration—have recently changed. The Napa County Grand Jury initiated its investigation with no predispositions. An extensive document review was followed by two tours of the Napa County facility; several interviews with management and mid-management level employees; interviews with educators; and open discussions over lunch with several juvenile hall youth.

Grand Jury Facility Tour

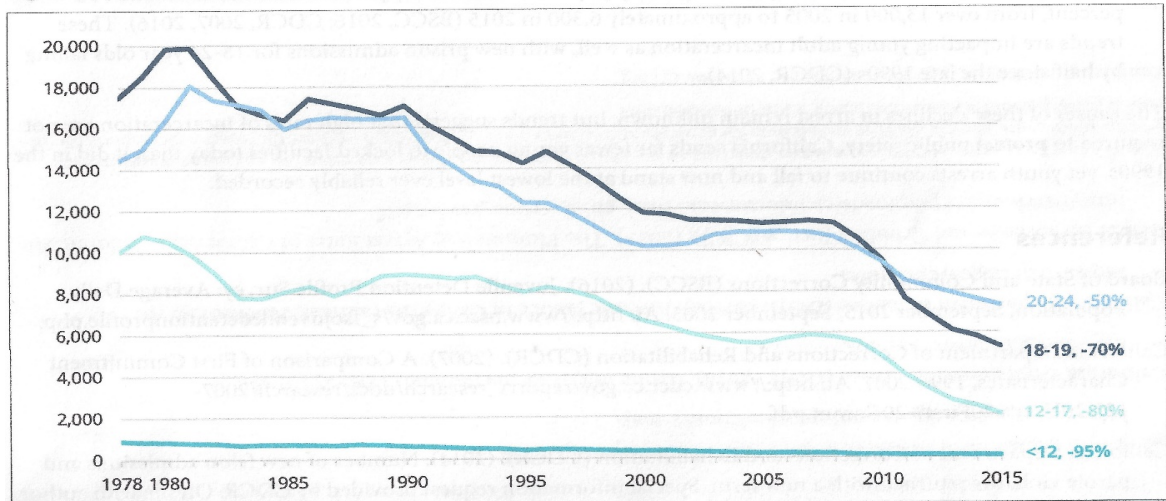
Grand Jurors noted NCJH youth artwork decorating the public entrance to the facility. The grand jury found the employees extremely professional and dedicated to youth rehabilitation. All staff appeared to be working toward the same goal: youth success. Every juvenile hall employee interviewed displayed integrity, coupled with educational and professional experiences specific to youth rehabilitation.

Employee policy and facility operations manuals were kept in plain view for all employees to reference. The youth classroom was furnished with up-to-date and clean desks, video monitors for educational programs, a large Promethean/Smart Board, and decorated with vibrant colored student art. During both tours, the facility was well below maximum capacity with fewer than 20 youths housed.

NCJH Unused Capacity/Space Issues

The low number of youth housed at Juvenile Hall is not a situation unique to Napa County. The juvenile arrest rate for California youth ages 10 to 17 has experienced a steady decline since 2007. Since then, California has passed a series of bills that focus on rehabilitation rather than punishment, as well as reduced criminal penalties.

Figure 1. Trends in the arrest rates of Californians under age 25, 1978-2015



Sources: DOJ (2011, 2015, 2016, 2016a). Notes: Population for youth ages 10-11 are used to calculate rates for the under age 12 category.

1

Statistics maintained by the BSCC for Napa County, Publicly Accessible Data Sets, reported by law-enforcement agencies in Napa County indicate that the arrest rate of 10 to 17-year-olds dropped from 469 arrests in 2011 to 258 in 2016, a 45% decrease.²

Similarly, the BSCC finds that juvenile facility populations statewide also continue to decline.

The Napa County Juvenile Justice Crime Prevention Act and Youthful Offender Consolidated Annual Plan 2017 reports that in 2009, ADP at Napa County Juvenile Hall was 43. This number has declined nearly every year since to an ADP of 18 in 2016, a 58% decrease.

Eight Year Arrests/ADP Census Chart

Year	Total Juvenile Arrests	Juvenile Hall ADP	#Youth on Probation
2009	420	43	
2010	426	36	567
2011	367	30	373
2012	322	25	306
2013	239	22	297
2014	243	24	257
2015	195	19	238
2016	Not available	18	232

Table abstracted by Napa Grand Jury

¹ "California's Youth and Young Adult Arrest Rates Continue a Historic Decline." Mike Males, Ph.D., Senior Research Fellow, Center on Juvenile and Criminal Justice. August 2016.

² California Department of Justice's *10 Year Arrest Data 2006-2015* (<https://openjustice.doj.ca.gov/data>)

The grand jury recognizes differences in the reported numbers of juvenile arrests, attributed to discrepancies in the reported sources; however, they clearly show that both juvenile arrests and average daily population are declining.

NCJH Unused Capacity/Space Issues

The Napa County Grand Juries are annually tasked with inquiring into the condition and management of NCJH. While prior Napa County Grand Jury reports have not discussed the declining ADP, the 2014-2015 Marin County Grand Jury considered contracting with surrounding counties to address the low facility-to-youth space ratio. According to the Marin County Grand Jury, first impressions of this plan seemed operationally and financially sound. Upon closer review it was determined that transport time and cost would increase significantly and youth would be housed relatively far away from their family and friends. Additionally, youth who already attend their local schools would no longer be able to do so and increased distances from home would reduce family visit opportunities. Ultimately, it was determined that contracting out with neighboring juvenile facilities was neither practical nor in the best interests of their youth.

The NCJH management discussed a potential consolidation with Marin County, but ultimately agreed with their Marin counterparts about the negative consequences of such a move. In addition to the reasons stated above, NCJH management's overwhelming concern continues to be that more-hardened offenders would negatively affect the less criminally-sophisticated youth commonly dealt with in Napa County.

Forecasting Facility Needs

While the declines in ADP and recent juvenile arrests may suggest a need to downsize the Napa County Juvenile Hall in the name of efficiency, NCJH leadership is uncertain about the future housing needs due to the dynamic legal changes at the state level.

Napa County was chosen as a pilot county for SB 1004, Transitional Aged Youth (TAY) Project. This program requires 18-20 year-old adults to be housed separately, but inside one of the existing Juvenile Hall units for special training and life skill development. While this program is in its early stages of implementation, space will be needed to accommodate the program's housing requirements. Future statewide rehabilitation initiatives may also require additional space for operation.

Outdated IT/Case Management System

Since the spring of 2009, a countywide review/upgrade of the Criminal Justice Information Management System (CJIMS) has been underway. In February 2014, the BSCC's Juvenile Justice Standing Committee published a report detailing the principles of juvenile justice in California, including IT systems and case management. Key tenets of the BSCC's report include: "Juvenile justice performance measures at all levels of intervention must be supported by adequate, modern data systems." Tenets also include that "Comprehensive aggregate data on

the caseloads, operations, costs, and outcomes of the California juvenile justice system, at the state and local levels, should be transparent and accessible to policymakers, stakeholders, and members of the public.”

CJIMS was built on software platforms that are no longer supported and do not possess the sophistication of a modern criminal justice IT system. CJIMS was not capable of incorporating the general principles of the 2014 BSCC Juvenile Justice Committee. The County Sheriff’s department, Superior Court, Adult Probation, and other members of the Napa criminal justice system have implemented the new records system, CJNet. However, Juvenile Probation/NCJH has not. Full implementation by the NCJH is expected by September 2018, at which time separate case management and data systems will be fully integrated, capable of sharing and measuring juvenile-justice outcomes.

Programming

Several initiatives and programs have been started to help train NCJH youth life skills and behavior modification. A new and successful program is “Thinking for Change.” This evidence-based program addresses cognitive behavioral issues, discusses these issues with participants, and teaches new skills for conflict resolution.

Other programs taught or administered by NCJH’s specially-trained staff include therapy dogs; arts programs; and substance abuse education, including treatment, and tutoring. A new culinary arts program is planned, which will teach life skills and provide potential career training. This program will incorporate the existing and fully-outfitted kitchen facility at the NCJH and aligns with the local tourist economy.

Social awareness programs include Aggression Replacement Therapy (ART); Thinking for a Change; Art Appreciation; Gang Awareness; Planned Parenthood; Life Skills; and the Mariposa Program, which focuses specifically on life skills for girls. Staff counselors set and assess targeted goals tailored to individual youth case plans. During grand jury interviews with NCJH youth, it was determined that positive experiences occurred with their counselors, unit managers and staff, with interactions often on a first-name basis.

Operationally, the Napa County Juvenile Hall was noted by the BSCC to have a full schedule of youth engagement activities with services provided by various staff member specialists. Educationally, the Napa County Office of Education’s Crossroads School educators were noted by the BSCC to “go above and beyond to assist youth during school hours and after school, including assisting youth with tutoring for credit recovery.”

FINDINGS

The Napa County Grand Jury finds that:

- F1. A multi-county consolidation of juvenile detention facilities is not optimal for serving Napa County youth.
- F2. Present and future state initiatives may increase the utilization of the NCJH facilities.
- F3. With the September 2018 implementation of CJNet in the Napa County Juvenile Hall, juvenile justice information technology will be fully integrated with the county's criminal justice system.
- F4. NCJH programming aligns with the current juvenile justice philosophy of rehabilitation as opposed to incarceration.

RECOMMENDATIONS

The Napa County Grand Jury recommends that:

- R1. No later than December 31, 2018, the BOS commission a study to determine whether excess Juvenile Hall physical capacity and staffing above near-term projected needs can be put to an alternate use. The results of the study should be published.

REQUEST FOR RESPONSES

Pursuant to Penal Code section §933.05, the Napa County Grand Jury requests responses:

From the following governing body:

- Napa County Board of Supervisors: **F1-F4, R1**

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**NAPA COUNTY GRAND JURY
2017-2018**

June 25, 2018

FINAL REPORT

**IMPLEMENTATION REVIEW
2012 - 2016**

2012 -2106 IMPLEMENTATION REVIEW

June 22, 2018

SUMMARY

The 2017-2018 Napa County Grand Jury reviewed the governmental agency response to the recommendations contained in the final reports prepared by the 2012-2013, 2013-2014, 2014-2015, and 2015-2016 Grand Juries. Where these responses indicated future action (i.e., “the recommendation has not yet been implemented, but will be implemented in the future” or “the recommendation requires further analysis”), the Grand Jury requested that the appropriate agency provide an updated status.

With minor exceptions, the requested updates were provided. The initial Grand Jury recommendation, the initial agency response, and the updated responses are provided in Appendices A through D to this report.

Not all the updated responses adequately addressed the status of the initial response. In at least one case, the agreed-to action has not yet been completed. The Grand Jury found that, in many cases, the initial agency comments did not comply with the specific requirements of the Penal Code. The Grand Jury also found that wording of its recommendations could, in general, be improved.

BACKGROUND

California Penal Code § 916 requires “...that all problems identified in a [grand jury] final report are accompanied by suggested means for their resolution.” The identified problems and suggested resolutions are identified in a report as “Findings” and “Recommendations.”

Section 933(c) of the Penal Code specifies in part:

No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court...

Each grand jury reviews the responses to the previous year’s reports to verify that they have been submitted in the required time frame and are in the proper format. The 2017-2018 Grand Jury Final Report entitled *Review of Responses to the 2016-2017 Grand Jury Reports* documents the current jury’s review.¹

¹ This report can be found at <http://www.napacourt.com/grand-jury/reports-response%202017-2018, Grand Jury, 2017-2018, Review of Responses>

The Penal Code, however, neither requires responding agencies to report when or how a “future” recommendation has been implemented nor does it require the responding agency to report the results of the promised “further analysis.” The agencies do not report this information to the grand jury or to the public. For this reason, the 2017-2018 Grand Jury voted to investigate the status of agency responses to the 2012-2013, 2013-2014, 2014-2015, and 2015-2016 Grand Jury Reports in which the agencies indicated future action was required.

This report details the completion status of an agency response where an agency “agreed” with a recommendation or promised “further analysis.” The Grand Jury does not opine on the nature or merits of the agencies’ promised future action.

METHODOLOGY

Section 933.05 of the California Penal Code specifies in part that “...as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

- (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 department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
- (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.”

Sub-paragraphs (2) and (3) above denote future action. Each response to the recommendations identified in the reports for the subject four years was reviewed. With minor exceptions, where the response of the person or entity indicated future action, the Grand Jury requested that the person or entity update the status of their initial response. These requests were initiated by letter which included the final report Recommendation and the initial response which had been submitted to the presiding judge.

DISCUSSION

Each grand jury issues a series of reports reflecting the areas of government investigated during their grand jury term (i.e., July 1 – June 30). For reports issued early in the grand jury’s term, responses may be received while the requesting grand jury is still in session. More often, the formal responses are received during the subsequent grand jury’s term. In either case, the status of “future action” items are not reported. This Grand Jury elected to review responses to reports issued by the 2012-2013 through the 2015-2016 Grand Juries.

The Grand Jury’s effort to ascertain the status of “future action” items was hampered to a degree by the Napa County Board of Supervisors’ decision, in some cases, to lump together more than

one recommendation in its response and/or apparently to rewrite the initial response by way of an update. In addition, several agencies that responded individually to an original grand jury report apparently deferred to the Board of Supervisor’s updated response.

The above notwithstanding, it appears that in general, the “future action” items were completed. The District Attorney’s implementation of Recommendation No. 5 of the 2012-2013 Grand Jury’s report on the Napa County Sheriff Coroner Services Operations (see Appendix A) was to have been completed by December 31, 2013. The District Attorney’s updated response, October 31, 2017, reported that “we are optimistic that the digital evidence module may be incorporated into CJNET by December 31, 2018.”

SUMMARY

Overall, the Grand Jury is gratified to find that agencies responding to grand-jury recommendations have followed-up and implemented those recommendations as this report reflects.

AGENCY	2012-2013 Update	2013-2014 Update	2014-2015 Update	2015-2016 Update
Auditor-Controller	Y	N/A	N/A	N/A
Board of Supervisors	Y	Y & N	Y & N	N/A
Chief Probation Officer	Y & N	N/A	N/A	N/A
City of Calistoga	N	N/A	N/A	N/A
City of St. Helena	Y & N	N/A	N/A	N/A
City of Napa	N/A	N/A	N	N/A
County Counsel	Y	N/A	N/A	N/A
District Attorney	Y & N	N/A	N/A	N/A
Health & Human Services	N/A	N/A	Y	N/A
Napa City Manager	N/A	Y	N/A	N/A
Napa County Fire Chief	N/A	N/A	N	N/A
Napa County Executive Officer	N/A	N/A	N	N
Napa Valley Transportation Authority	N/A	Y	N/A	N/A
Recorder County Clerk	Y & N	N/A	N/A	N/A

AGENCY	2012-2013 Update	2013-2014 Update	2014-2015 Update	2015-2016 Update
Registrar of Voters	Y	N/A	N/A	N/A
Sheriff	Y	N/A	N/A	N/A
Tax Collector	Y	N/A	N/A	N/A

Note: N/A = Not Applicable

FINDINGS

F1. Napa County agencies that agreed to implement Grand Jury recommendations in years 2012-2013 through 2015-2016 did so with minor exception.

RECOMMENDATIONS

R1. Napa County agencies that are required or invited to respond to future Grand Jury recommendations do so in accordance with the provisions of Penal Code section 933.05.

APPENDIXES

Appendix A, 2012-2013 Updated Responses

Appendix B, 2013-2014 Updated Responses

Appendix C, 2014-2015 Updated Responses

Appendix D, 2015-2016 Updated Responses

APPENDIX A
2012-2013 REPORT RESPONSES

I. Integrity of Grand Jury Investigations

- A. Recommendation No. 1 was: That the County Board of Supervisors, the City Council of each incorporated jurisdiction, the County Counsel, and every publicly elected official not under the authority of the foregoing provide instructions to all county employees within their jurisdiction regarding their duties and responsibilities toward the Grand Jury process and that said instructions be completed prior to the end of this calendar year.

1. *Auditor Controller*

Initial response (2013): The County Board of Supervisors adopted a Code of Ethics in 2005. This document is discussed and provided to all new employees and is available to all employees on both the County's internal and external websites. I agree to review this document with my staff at a minimum annually and this year I will emphasize the importance of it in the context of Grand Jury investigations.

Updated response (2017): The Auditor-Controller meets with staff regularly during the year and at least annually. She discusses their role, expectations and confidentiality of their discussions with the Grand Jury.

2. *County Counsel*

Initial response (2013): I agree to implement this recommendation in County Counsel's office this year.

Updated response (2017): The Office of County Counsel and its attorneys and staff are of course well aware of their responsibilities and the duties of County departments in the context of responding to Grand Jury inquiries and requests. County Counsel prepared and provides the attached instructional documents to clients and staff (attached in their current form; updated periodically as needed). County Counsel attorneys keep apprised of the legal requirement for responding to Grand jury inquiries and do so without any formally designated annual training within the office itself.

3. *District Attorney*

Initial response (2013): I agree to implement this recommendation this year.

Updated response: None

4. *Mayor, City of Calistoga*

Initial response (2013): The City of Calistoga agrees to implement this recommendation prior to the end of the calendar year.

Updated response: None

5. *Mayor, City of St. Helena*

Initial response (2013): The City of St. Helena agrees to implement this recommendation prior to the end of the calendar year.

Updated response (2018):

The City has no institutional memory of its follow-up to Recommendation No. 1, now five years in the past. The City responds to Grand Jury information requests in accordance with law. If the current Grand Jury has “best practices” for formal responses to Grand Jury inquires, it would be appreciated if you would provide a copy. The City will take them into consideration when next called upon to respond to a Grand Jury inquiry. Further, if there are such “best practices,” it is respectfully suggested that they be attached to any future inquiry from the Grand Jury.

6. *Napa County Sheriff*

Initial response: I agree to implement this recommendation this year.

Updated response: All Sheriff’s Office personnel are provided, via County email, instructions regarding duties and responsibilities toward the Grand Jury process. These instructions are provided annually.

7. *Treasurer – Tax Collector*

Initial response (2013): I agree to implement this recommendation this year before the end of this year.

Updated response (2017): Consistent with that response, those County employees that work under my supervision were trained on Grand Jury protocol at a November 7, 2013 staff meeting.

II. Public Employment Retirement

- A. Recommendation No. 3 was: Develop plans to control future health care costs including the concepts advocated by the Government Finance Officers Association (GFOA) of accessing increased-deductible or higher co-pay insurance plans.

1. *Board of Supervisors*

Initial response (2013): The recommendation requires further analysis. The County will continue to work with CalPERS, our health insurance provider, to identify options for controlling employee health care costs in the years ahead. With the implementation of the Affordable Care Act over the next few years, the County must meet increasingly complex criteria when providing employee health insurance, including minimum value and affordability tests. Developing cost effective approaches to providing quality employee health benefits will be a priority for the County and other employers in the years ahead.

Updated response (2017): Together with County staff, the Board continues to analyze the costs of the County’s employee health and retirement benefits. As part of negotiations with bargaining groups, the Board works toward a fair and equitable benefit package that provides the ability to recruit and retain qualified employees. In addition, as

part of the budget preparation process each year, staff reviews Other Post Employment Benefit (OPEB) charges, health insurance increases, and retirement costs to make funding recommendations to the Board. Regarding Recommendation No. 6, litigation has not been conclusive, however; staff continues to monitor the situation and will make recommendation(S) as warranted when more information becomes available.

NOTE: This response apparently applies to Recommendations 3, 4, and 6.

- B. Recommendation No. 4 was: Implement a side-fund to offset the risk of overly optimistic discount rate assumptions by CalPERS, if a budget surplus or another opportunistic funding source becomes available.

1. Board of Supervisors

Initial response (2013): The recommendation requires further analysis and would likely require negotiation with employee labor representatives because of the County's cost sharing formulas.

Updated response (2017): See II.A.1. Updated response above.

- C. Recommendation No. 6 was: If favorable rulings result from federal bankruptcy proceedings concerning California jurisdictions, investigate freezing earned pension benefits of active employees who were beneficiaries of the SB400 retroactive formula enrichments and reset to the lower formulas in effect when the employees joined the County.

1. Board of Supervisors.

Initial response (2013): The recommendation requires further analysis. There continues to be significant debate as to whether an employer can reduce previously agreed to pension benefits. Any future reduction in benefits would likely require negotiation with employee labor representatives before a change could be made and would almost certainly face significant legal challenges.

Updated response (2017): See II.A.1. Updated response above

III. Napa County Jail

- A. Recommendation No. 1 was: It is recommended that the NCDC and Probation fully define recidivism and work with Napa County Information Technology Services to extract meaningful information concerning past recidivism in order to gauge success of ongoing alternative programs. This should be implemented by IQ2014.

1. Chief Probation Officer

Initial response (2013): The recommendation has not yet been implemented, but is in the process of being implemented. The Criminal Justice agencies have defined recidivism as being a new conviction. Additionally, the tracking of violations of probation is also part of recidivism, but tracked separately to provide more detailed analysis. In order to evaluate programs and monitor trends in the criminal justice population, there has been an extensive project to

develop a new County-wide criminal justice information management system. This has been a collective project of the Criminal Justice Department Directors, Chief Information Officer, and County Executive Office. It is anticipated that implementation will occur by the end of fiscal year 2014-2015.

Updated response: None

IV. Napa County Election Division

- A. Recommendation No. 1 Was: The Napa County Board of Supervisors change the elected status of *ex officio* Registrar of Voters to an appointed office.

1. *Board of Supervisors*

Initial response (2013): The recommendation requires further analysis. On September 15, 2009, the Board did an extensive review of the Election Division and concluded that it was more cost effective and efficient to remain as an elected position.

Updated response (2018): The Board completed its analysis. In May of 2013, the Board concluded that it was more cost effective and efficient to have the Registrar of Voters remain an elected position. In October of 2013, the Board discussed election processes with Mr. Tuteur. No advisory body was created. The County's facility master plan (Dated December 2010) priority is replacing the existing jail. However, the facility master plan continues to envision a consolidation of a number of general government functions including the Election Division when funding becomes available. This plan includes more space for storing and processing ballots, and easy public access.

NOTE: This update apparently covers Recommendations 1, 2, and 9.

- B. Recommendation No. 2 was: Upon establishment of an appointed Registrar of Voters, the Napa County Board of Supervisors should establish an oversight committee of Napa County voters that would be charged with monitoring the performance and procedures of the Registrar of Voters.

1. *Board of Supervisors*

Initial Response (2013): The recommendation requires further analysis. At its meeting on October 22, 2013 the Board will discuss the establishment of an advisory body however it is important to note that the body will be charged with making recommendations to the Board of Supervisors -the delegation of oversight responsibilities cannot be abdicated under current law.

Updated response (2018): See IV.A.1 updated response above.

Recommendation No. 3 was: The Napa County Election Division publishes periodic interim election results in addition to the initial voting results on Election Day.

1. *Recorder County Clerk*

Initial response (2013): This recommendation requires further analysis. The

Registrar of Voters is conducting a survey of the 16 counties which use the same ballot tabulation and vote reporting system. The results of that survey will be reported to the Board of Supervisors at a study session on October 22, 2013. Following that session, the Registrar of Voters will review the current policy on not releasing interim results between the election night result and the final certified result.

Updated response (2017): 11-7-2017 Following an October 22, 2013 Study Session with the Napa County Board of Supervisors, the Election Division began releasing interim election reports beginning with the June 3, 2014 Statewide Primary Election:

June 3, 2014:
Election Night Reports
6/11/2014 1st Interim Report
6/16/2014 Final Certified

June 7, 2016:
Election Night Reports
6/14/2016 1st Interim Report
6/23/2016 2nd Interim Report
6/29/2016 Final Certified

November 4, 2014:
Election Night Reports
11/14/2014 1st Interim Report
11/19/2014 Final Certified

November 8, 2016:
Election Night Reports
11/16/2016 1st Interim Report
11/23/2016 2nd Interim Report
11/30/2016 Final Certified

Napa County is a pilot project for the Voter's Choice Act (VCA) for the June 5, 2018 Primary Election which will bring several changes for Napa County voters including an impact on how interim election reports are released. The major changes are that all voters will receive vote by mail ballots; polling places will be replaced by vote centers; eligible citizens will be able to register to vote up to and including Election Day. With vote centers replacing polling places, there will not be a delivery of polling place ballots on Election Day after the close of polls at 8:00 p.m. on Tuesday June 5, 2018. Thus, there will only be a release of results from vote by mail ballots processed through noon Saturday June 2 at 8:01 p.m. on Election Night. This first release of results usually accounts for approximately 50% of all ballots that will be cast in the election.

The Election Division will then begin releasing a series of interim results over the days following the election as vote center and vote by mail ballots received and processed after noon on Saturday June 2 are counted. We expect the rolling release of results to continue through final certification of the results which must be within 30 days of Election Day, i.e. by July 5, 2018. We expect to complete our certification before that deadline as in past years.

- C. Recommendation No. 7 was: The Registrar of Voters publish the voter information pamphlet on the Election Division website.

1. Registrar of Voters

Initial Response (2013): The recommendation requires further an analysis. The

Registrar of Voters has been reviewing the publication of voter information pamphlet on the election division website in a manner so that each voter can access the correct voter information pamphlet in the language they have requested. We will survey those counties that do publish their sample ballot pamphlets to see how many voters access the pamphlet on those websites. We will make a final decision on this recommendation prior to December 1, 2013.

Updated response (2017):

The Napa County Election Division will publish sample ballot material for the June 5, 2018 Primary Election on our website approximately 45 days prior to the election, i.e. April 23, 2018. The actual publication date will depend on receipt of the sample ballot material from our typesetter.

- D. Recommendation No. 9 was: Napa County Board of Supervisors establishes an election office facility with more space for storing and processing ballots and easier access for the public.

1. Board of Supervisors

Initial response (2013): The recommendation requires further analysis. The County's facility master plan envisions a consolidation of a number of general government functions including the Election Division. The Board of Supervisors has prioritized the various components of the master plan placing the jail and the Health & Human Services Agency campus first with other space considerations taken into account as funding and conditions become available.

Updated response (2017): See IV.A.1 updated response above.

2. Recorder – County Clerk

Initial Response (2013): This recommendation requires further analysis. The Registrar of Voters is conducting a survey of the 16 counties which use the same ballot tabulation and vote reporting system. The results of that survey will be reported to the Board of Supervisors at a study session on October 22, 2013. Following that session, the Registrar of Voters will review the current policy on not releasing interim results between the election night result and the final certified result.

A. Updated Response (2017): See IV.A.1 updated response above.

3. Recorder – County Clerk

Initial Response (2013): The recommendation requires further analysis. The Registrar of Voters has been reviewing the publication of the voter information pamphlet on the election division website in a manner so that each voter can access the correct voter information pamphlet in the language they have requested. We will survey those counties that do publish their sample ballot pamphlets to see how many voters access the pamphlet on those websites. We will make a final decision on this recommendation prior to December 1, 2013.

Updated Response: None

V. Napa County Sheriff Corner Services Operations

- A. Recommendation No. 1 was: The Coroner's Division immediately begin a program of entering data from the old system of typewritten index cards into the current computerized system.

1. *Sheriff's Department*

Initial Response (2013): I agree with this recommendation. The Coroners Division will develop a process to enter older cases into the database and eliminate the step of typing an index card. The index card system has been maintained strictly as a back-up should the computerized database fail. All data has been entered into the database for the past several years.

Updated response (2017): The Sheriff's Office agreed with the response and the Coroners Division no longer maintains a typewritten index card system. All information is maintained by a computerized database.

4. Recommendation R2 was: The NSO seek assistance, as appropriate, from the BOS, the Napa County Executive Office, and/or County Counsel to secure an agreement with a third-party credit/debit card merchant service to allow the NSO to accept credit and debit cards for payment of fees and services and pass related costs to the customer.

1. *Sheriff's Department*

Initial response (2013): I agree with this finding. The NSO will begin the process immediately with the Napa County Executive Office to secure an agreement with a third party credit/debit service to allow the NSO to accept credit and debit cards for payment of fees and services.

Updated response (2017): The Napa Sheriff's Office now accepts credit and debit cards for payment of fees and services.

5. Recommendation R3 was: The NSO, County IT and the NSO budget analyst work together to develop a cost benefit analysis for a secure server with the state-of-the-art software to store, index, manage and retrieve crime scene photographs that are now routinely stored on CDs.

1. *Sheriff's Department*

Initial response (2013): I agree with this finding. We recognize that the CD storage system is not ideal, but it does provide a secure and stable storage system for photograph files for the time being. We are currently researching various systems and vendors providing digital evidence storage, and are already using server-based storage for some video evidence. This is a growing field with technology improving and changing daily almost a daily basis. We are striving to find a long-term, sustainable and secure system with back-up(s) that will provide a method of storing this type of evidence in a manner compliant with the Evidence Code.

Updated response (2017): The Napa Sheriff's Office now stores all digital media (crime scene photos and videos) on a secure server which is in compliance with the Evidence Code.

6. Recommendation No. 4 was: The NSO develop full documentation of policy and procedures for the collection and preservation of DNA evidence. This documentation should include the currently used standard operation procedures for handling DNA evidence.

1. Sheriff's Department

Initial response (2013): I agree with this finding. It has always been the policy of Department Crime Lab to use the most current and up to date procedures for the collection and preservation of DNA evidence. A formal Lab Policy Manual is currently being prepared which will include recommended procedures recommended by California DOJ and the Journal of Forensic Identification for handling DNA evidence.

Updated response (2017): The Napa Sheriff's Office has developed and implemented policies and procedures for the collection and preservation of DNA evidence. Additionally, employees receive continued training in the proper collection and processing of DNA evidence.

7. Recommendation No. 5 was: That no later than December 31, 2013, the NSO and District Attorney's office develop a joint policy and procedure which effectively obtains and enforces proper court orders for appropriate destruction of evidence in NSO custody in cases either fully adjudicated, dismissed or beyond the statute of limitations.

1. District Attorney

Initial response (2013): I agree to implement this recommendation this year. Our office has already created a form for all law enforcement agencies to request destruction. Once the form is received by our office, our Chief Deputy District Attorney reviews and, as appropriate, signs the form and requests a court order to proceed with evidence destruction. This order and process will be integrated into CJNET, the county's case management system accessible by both NSO and the District Attorney. We will develop a joint policy and procedure within this framework by December 31, 2013 as requested.

Updated response (2017): Prior to December 31, 2013, the Napa County District Attorney's Office improved the manual process by which NSO was assisted with evidence destruction. Additionally, the DA's Office agreed to integrate an automated evidence management module into the CJNET case management system. We have spent significant time working with NSO to improve our analogue tracking system with our intent to have this integrated into our computerized case tracking system by January 1, 2014. While the manual process is significantly improved, unfortunately other priorities (such as adding Napa County Department of Corrections and Napa County Probation to the system) of the coding team (who work for a different County Department) responsible for implementation of the evidence module delayed the

evidence component from being incorporated as intended. Due to finite resources such as funds and staffing, the automated process remains a work in progress. While integration of the evidence system remains an important priority, adding the Juvenile Justice component to CJNET has a higher priority (due to the legacy system nature of the software). At this time we are optimistic that the digital evidence module may be incorporated into CJNET by December 31, 2018.

2. Sheriff's Department

Initial response (2013): I agree with this finding. The backlog of destruction orders awaiting approval witnessed by the members of the Grand Jury during their investigation has been cleared and the items are being processed out of the Property/Evidence room at this time. Working with the District Attorney's office, we have gone to a more stream-lined process of smaller orders over time instead of large orders a few times a year. The current turn-around time for an order is 2 to 3 weeks. The District Attorney's office is working on a process that should dramatically reduce the need for processing these orders through their office. The NSO will continue to work with the District Attorney's office to develop a procedure by December 31, 2013.

Updated response (2017): The Sheriff's Office, along with the District Attorney's Office has implemented this recommendation.

APPENDIX B
2013-2014 REPORT RESPONSES

I. NCTPA Vine: Management & Ridership for the Future

- A. Recommendation No. 3: The Grand Jury recommends the BOD to explore ways to improve NCTPA management retention such as merit pay or other incentives, and put in place for the coming fiscal year.

1. NCTPA

Initial response (2014): This recommendation requires further analysis. The NCTPA Board appreciates the Grand Jury's suggestion and will take it under advisement. It should be noted, however, that the agency has been existence since 1998 and has only had four executive directors in its 16 year history; and two of them retired from NCTPA.

Updated response (2018): In response to your specific inquiry, you refer to Recommendation No. 3 of the above-mentioned report which "recommends that the BOD to explore ways to improve NCTPA management retention such as merit pay or other incentives and put in place for the coming fiscal year." In our response we underscored the managerial stability of the agency by noting that the agency had been in existence since 1998 and that there were only four executive directors in the agency's 16-year history. Two of the executive directors retired from the agency, one resigned and the fourth executive director is still with the agency. Nevertheless, the agency has made several changes that will help retain and advance staff and draw new employee talent to the agency. First, in 2017 two "director" level management classifications were added and two internal employees were promoted into the new positions overseeing Planning, Projects, and Programs and Accounting, Policy, and Administration. Second, the executive director has informed the chair and vice chair that staff is working on improving employee medical retirement benefits. Third, I have discussed with the Chair and the Vice Chair my concern about being able to fill the engineering manager position at its current salary level. The position will be open this fall when the current engineering manager retires. The position has been posted with an open salary. It should be noted that the latter two items have not yet been approved by the board, but they are scheduled to be heard by the Board this spring or early summer.

- B. Recommendation No. 8 was: NCTPA should implement within the current fiscal year a coordinated VINE marketing strategy with each Napa County jurisdiction so that NCTPA's transit services are readily available and consistently communicated across all public, community and visitor websites.

1. NCTPA

Initial response (2014): This recommendation will be implemented within 90 days. NCTPA will work with the jurisdictions and visitor sites and request that information about the VINE and its ancillary services are consistently communicated. It should be noted that NCTPA has no authority to demand that Napa's jurisdictions or its visitor sites comply with this request.

Updated response (2018): Your second request refers to Recommendation No. 8 of the above-mentioned report which recommends implementation of "a coordinated VINE marketing strategy with each Napa County jurisdiction so that NCTPA's transit services are readily available and consistently communicated across all public, community and visitor websites." At the time, NVTAs staff contacted each of the jurisdictions and requested that they make corrections. A recent scan of each of the 6 jurisdictions' sites indicate that some of the jurisdictions maintain a link to NVTAs and profile the Vine system but others do not. We sent the jurisdictions a request to add the Vine to the appropriate pages just prior to sending this letter. Since the report was originally published, the agency also created a marketing and communications position. That position is currently open, but we will make sure that the staff member is on top of coordinating marketing efforts with the jurisdictions when the position is filled.

II. Veteran's Service and Outreach

- A. Recommendation No. 1 was: The Napa CVSOS should set a goal of scheduling a meeting with a veteran within a two-week period.

1. Board of Supervisors

Initial Response (2014): The recommendation has not yet been implemented, but will be implemented in the future. With the addition of a new Veterans Representative staff person, the CVSOS anticipates being able to reach this goal within one year (no later than April 2015).

Updated response (2017): This recommendation has been implemented. The Napa CVSOS now sees veterans within two weeks of a request for a meeting unless a later date is requested. This has been the case since the beginning of 2015. The Veterans Representative position became vacant in August 2017 which will result in a temporary potential of a longer waiting period until the position is filled and the new Veterans Representative is trained.

- B. Recommendation No. 2 was: The Napa CVSOS should develop an outreach program that ensures that veterans in Napa County are fully aware of its services, including that it will make home visits.

1. Board of Supervisors

Initial Response (2014): The recommendation has not yet been implemented, but will be implemented in the future. The VSO had previously done only limited outreach, due to low staffing levels. With the new Veterans Representative hired, the VSO will more frequently attend events and arrange presentations throughout Napa Valley. In addition to outreach, the VSO anticipates being more available to perform home visits as the Veterans Representative takes on an increasing workload over the next year.

Updated response (2017): This recommendation has been implemented. The Napa CVSOS regularly conducts outreach including a monthly Vet Connect program with a dozen local agencies providing assistance to veterans. Attendance has average averaged about eight veterans per month. The Napa CVSOS opened a

satellite office in Calistoga in 2016 but discontinued the program in August 2017 due to lack of attendance. The Napa CVSO continues to provide local meetings with veterans as requested in the upper Napa Valley and in American Canyon. The Napa CVSO also conducts a monthly orientation to veterans' benefits with an average attendance of 10 veterans and dependents. The Napa CVSO has a monthly column in the Napa Register ("Vets 2 Vets") and related area on-line newspapers discussing veterans' benefits and issues. The Napa CVSO regularly conducts home visits to assist veterans and their surviving spouses with information, referral and development of VA claims for benefits.

- C. Recommendation No. 3 was: The Napa CVSO should report annually, in writing, to the Board of Supervisors on the effectiveness of its outreach programs, including not just what it has done but what in its assessment should be done.

1. Board of Supervisors

Initial response (2014): The recommendation has not yet been implemented but will be implemented in the future. The VSO will:

- Track outreach activities and claims activity starting with Fiscal Year 2014-15;
- Assess effectiveness and seek opportunities to increase outreach; and
- Report these finding to the Board of Supervisors annually beginning in November 2015 (to coincide with Veterans Day).

Updated response (2017): The recommendation is in progress. The Napa CVSO provides an annual report of activities. A detailed report with assessment was last provided in November 2015 and is in preparation for 2017.

- C. Recommendation No. 4 was: Napa County should implement changes to its website that facilitate the finding of veteran services on its website.

1. Board of Supervisors

Initial Response (2014): This recommendation requires further analysis. Using the search feature on the County of Napa's website will take users directly to Veterans Services information and contacts. However, there may be additional changes to information or links on the website that would assist users. The County's website is under continual review for possible improvements. The Webmaster and CVSO staff will review the information and evaluate whether additional changes should be made.

Updated response (2017): The recommendation is in progress. The Napa CVSO provides an annual report of activities. A detailed report with assessment was last provided in November 2015 and is in preparation for 2017.

2. Recommendation No 5 was: The Napa CVSO should make available a Veteran Identification Card for Napa County veterans to enable veterans to receive additional benefits from Napa County businesses with special benefits for veterans.

1. Board of Supervisors

Initial Response (2014): The recommendation has not yet been implemented, but will be implemented in the future. Equipment to make Veteran

Identification cards has been ordered and received, and staff is currently designing the identification card. Staff is also communicating with the local Chamber of Commerce to identify the most effective way to encourage businesses to offer veteran benefits and communicate the availability of these benefits to patrons with a Veteran ID card or other military identification. Staff expect to start advertising the availability of these cards no later than September 2014, with a "soft roll out" starting in July for veterans who are already at our office for other services.

Updated response: None

III. Forming Partners with the Community Through Youth Sports

- A. Recommendation No. 1 was: That the Superintendent of the NVUSD and the City of Napa Parks and Recreation Department re-establish within the next six months a new Joint Use Agreement for Maintenance of School Sports Fields for School and Community use.

1. City Manager

Initial response (2014): The recommendation has not yet been implemented, but will be implemented within the time frame recommended. The City of Napa Parks and Recreation Department and NVUSD have met and initiated discussions regarding the development of a new Joint Use Agreement.

Updated response (2017): The City of Napa and NVUSD entered into a two-year agreement on July 21, 2015 to provide for maintenance of school sports fields to ensure continued community use. This agreement was intended to serve as a bridge while the NVUSD and the City of Napa developed a broader based, comprehensive agreement to address the City of Napa's and community's access to all the District facilities; including sports fields, swimming pools, gymnasiums, tennis courts, classrooms and other related facilities. Currently, the City of Napa and the NVUSD are actively working together to finalize terms and conditions of the comprehensive Joint Use Agreement with plans for adoption no later than July 2018.

- B. Recommendation No. 14 was: That the City of Napa and the NVUSD continue to work in collaboration in the development of more playing fields on city-owned land for community use such as Kennedy Park.

1. City Manager

Initial response (2014): The recommendation has not yet been implemented, but will be implemented in the future. The City of Napa's Parks and Facilities Master Plan, adopted February 16, 2010 recommended new recreational sports fields focused on soccer, junior baseball and junior softball with additional space for casual play. The plan highlights the important collaboration between the City of Napa and the NVUSD to provide a mix of casual, individual and organized activities across the city. The next step toward meeting the Plan's recommendations and specifically the Grand Jury's recommendation R 14 will be accomplished with the development of a Master Plan for Kennedy Park. The City is in the process of

contracting with a firm that will develop the Master Plan. This Master Plan will be completed within the next seven months.

Updated response (2017): The Master Plan for Kennedy Park was completed and subsequently accepted by the Napa City Council on December 15, 2015. The Plan was developed with extensive community input and included a representative of the NVUSD staff on the planning team. The plan includes two additional softball fields, a baseball field in a stadium setting, batting cages, multi-purpose sports fields suitable for accommodating soccer, football, rugby, lacrosse and cricket activities. Additionally, the Plan calls for a variety of other facilities including a 30,000-square foot community center with a gymnasium and classrooms, picnic areas, playgrounds, trails and other site amenities that will encourage community gathering.

APPENDIX C
2014-2015 REPORT RESPONSES

I. Health and Human Services Agency Vast and Visionary

- A. Recommendation No. 2 was: By December 31, 2015, HHSA to review the application process for obtaining the MSA grant, and redesign the process for less burdensome completion and administration.

1. Board of Supervisors

Initial response (2015): The recommendation requires further analysis. The Board agrees to have the process evaluated by an outside consultant to suggest improvements for the next funding cycle by December 31, 2015. This evaluation may or may not result in a redesign of the process.

Updated Response (2017): Regarding Recommendation No. 2, the Board did hire a consultant who evaluated the process, which did result in a redesign of the MSA grant process effective with the Fiscal Year 2016-17 grant cycle. Regarding Recommendation Nos. 5, 6, and 9, the Board and HHSA have long recognized the need for and utility of the ability to combine data sources to be able to get an all-inclusive view of individuals' needs and service utilization and of the community's needs and service utilization. In FY 2016-17, the Board approved HHSA funding to create a data warehouse that will give the Agency the ability to look at data across divisions within HHSA. This is a large undertaking that will take several years to complete. Once completed, it will be a tool to look at service needs and usage individually and collectively and will help to quantify demographics and geographic needs. The Live Health Napa County initiative, for which HHSA provides backbone support, has begun the process of mapping health and social indicators.

- B. Recommendation No. 5 was: By December 31, 2015, HHSA to establish a mechanism for measuring services located Up Valley more often than or more specifically than "as needed."

1. Board of Supervisors

Initial response (2015): The recommendation requires further analysis. Currently, there are several different statewide data systems that collect information on clients based on the type of services received. These data systems do not warehouse the data in a common location. While the project scope is too large to commit to a December 31, 2015 completion, HHSA has recognized the need for, and plans to allocate resources in Fiscal Year 2015-2016 to develop, refine and report on data sources to better target programs and services. As mentioned previously, the work accomplished through LHNC will also be useful in this regard.

Many services that HHSA provides are appropriately offered on an "as needed" basis in homes, schools, hospitals and other sites. "As needed" is a common specification for health and human service providers and allows for flexibility

based on individual needs. These services, such as mental health, public health, Public Guardian, Adult Protective Services, In Home Supportive Services, veterans services, child welfare, adoptions, and emergency preparedness trainings are available countywide.

In an attempt to evaluate and improve Up Valley services, the Agency worked with the mayor of Calistoga and the Calistoga Family Center in December 2013. Currently, mental health, Women Infants and Children (WIC), Medi-Cal and CalFresh applications assistance, Adult Protective Services, Public Health Medical Therapy Program, school based alcohol and drug prevention and early intervention programs, indigent medical care and employment, education and training services to youth enrolled in Workforce Investment Act (WIA) services are offered in Calistoga at the Up Valley Family Center, schools, Calistoga Clinic and in homes.

Similarly, services offered at various locations in St. Helena include WIC, mental health, Adult Protective Services, public health, indigent medical care and WIA education and training programs.

Updated Response: None

- C. Recommendation No. 6 was: By December 31, 2015, HHSA to review case reporting information within HHSA Divisions to ascertain the frequency and actual locations where Up Valley services are reportedly being provided.

1. Board of Supervisors

Initial response (2015): The recommendation requires further analysis. As mentioned previously, HHSA plans to allocate resources to develop, refine and report on data sources to better target programs and services. Some of this work will be accomplished through LHNC and its Data Workgroup.

Updated Response: None

- D. Recommendation No. 8 was: HHSA to institute a reporting requirement regarding demographic locations of service for all HHSA Divisions and include in future nonprofit contracts.

1. Board of Supervisors

Initial response (2015): The recommendation requires further analysis. HHSA believes the Grand Jury is referring to a reporting of "geographic locations of services". HHSA will implement the recommendation on a case by case basis where it makes sense to do so. Based on the population health work, HHSA has begun data mapping different neighborhoods throughout Napa County. By using a geographic information system (GIS), a wide variety of data sets have been mapped, including demographic information and other pertinent health and social indicators.

Updated response: None

II. Management of Groundwater & Recycled Water

- A. Recommendation No. 2 was: By June 30, 2016, the Napa County Public Works Department to require major groundwater users to meter and report their water usage on a quarterly basis to ensure all well owners are following prescribed usage rates.

1. Board of Supervisors

Initial response (2015): The recommendation requires further analysis. This recommendation will be considered in the context of the Alternative Groundwater Sustainability Plan, due to the State between June 30, 2016 and January 1, 2017. Development of the plan will include significant outreach to and input from the public. The Board of Supervisors will consider and determine the necessary amount of metering and reporting in the context of this public discussion.

Updated response (2017): The recommendations were considered in the preparation of a Groundwater Sustainability Plan-alternative (Plan), which was submitted to the California Department of Water Resources (DWR); it is expected DWR will complete its review of the Plan expected by early to mid-2018. The County's groundwater monitoring program is outlined in the Plan, which addresses the monitoring needs to insure long-term groundwater sustainability. The Plan and monitoring program were developed with an extensive public outreach process. Napa County also prepares a Comprehensive Groundwater Monitoring Program Annual Report, which provides a review and update of the program, and is presented to the Board of Supervisors and submitted to the State/DWR.

The Planning, Building and Environmental Services (PBES) Department develops project specific recommendations for groundwater monitoring based upon the Water Availability Analysis(WAA) and CEQA environmental review of a project. PBES also recently updated its Conditions of Approval, which require well monitoring data quarterly and volume of water withdrawn monthly if the Director determines that substantial evidence indicates water usage is affecting or would potentially affect groundwater supplies or nearby wells. In addition, the well monitoring data will be provided to the County if the Director of Public Works determines it could be useful in supporting the County's groundwater monitoring program.

Napa County also has a comprehensive groundwater outreach program to encourage on-going public participation, education, and the sustainability of our groundwater resources. The following websites provide additional information:

- The Watershed Information and Conservation Council (WICC) has taken on the role of groundwater outreach, at BOS direction, and has conducted many public meetings on the subject. The WICC's groundwater information web-portal contains up to date reports, interactive maps and other groundwater and watershed resources. <https://vwww.napawatersheds.org/0uoundwater>
- A newly revised groundwater program brochure can be found on the County website and on the WICC website.
- A Napa County Well Owners Guide was published in July 2017: <https://www.napawatersheds.org/documents/view/8773> Well Owners Guide Final.pdf.

- A video was published in July 2017 that overviews our groundwater monitoring program and its objectives: [haps://voutu.be/yyGHAWvegK0](https://voutu.be/yyGHAWvegK0)
- A video was published in August 2016 that promotes and describes the County's groundwater self-monitoring program, "DIY Groundwater Monitoring": [baps://voutu.beipqM2-UQQF2Q](https://voutu.beipqM2-UQQF2Q)
- A DIY Monitoring webpage was created with information, links and resources that promote and explain the free program. A new targeted Groundwater News List Serve was created in March 2016 and has over 110 subscribers.

B. Recommendation No. 3 was: By June 30, 2016, the Napa County Public Works Department to adopt policies to encourage all other groundwater users to meter and monitor their well water usage.

1. Board of Supervisors

Initial response (2015): The recommendation requires further analysis. This recommendation will be considered in the context of the Alternative Groundwater Sustainability Plan, due to the State between June 30, 2016 and January 1, 2017. Development of the plan will include significant outreach to and input from the public. The Board of Supervisors will consider and determine the necessary amount of metering and reporting in the context of this public discussion.

Updated response: None

III. Napa County Fire Department Career and Volunteer Firefighters

A. Recommendation No. 1 was: By September 1, 2015, the Fire Service Advisory Committee to establish a regular meeting schedule, circulate the meeting minutes and update the FSAC website within 10 days of every meeting, in order to inform the community and firefighter ranks of scheduled meetings and agendas. In addition, the minutes for each FSAC meeting are to be circulated within 10 days of each meeting to all the members of the Napa County Fire ranks to keep them informed of the issues and the efforts to address them.

1. Napa County Fire Chief

Initial response (2015): This recommendation has not been implemented but will be implemented by September 1, 2015. The Fire Services Advisory Committee adopts a meeting schedule at the first meeting of each calendar year. The Fire Services Advisory committee meets the second Thursday of the odd months (January, March, May, July, September, and November) at 1:00pm in the Napa County Board of Supervisors Chambers located at 1195 Third Street in Napa. Special meetings may also be called by the Chair of the committee. Staff is completing the upload by the end of August of all prior meeting agendas, minutes and documents which will be located on the Fire Services Advisory Committee link by accessing: <http://www.countyofnapa.org/CountyFire/> Any volunteer member or interested community member may be added to the

email distribution list by contacting Stacie McCambridge at stade.mccambridge@countyofnapa.org. Agendas and minutes are sent to each Volunteer Fire Chief. Per the current communication protocol, it is the responsibility of the Volunteer Fire Chiefs to forward the agenda and minutes to their company members.

Updated response: None

2. *Napa County Executive Office*

Initial response (2015): The Napa County Executive Office concurs with the response of the Napa County Fire Chief.

Updated response: None

3. *Board of Supervisors*

Initial response (2015): The Board of Supervisors concurs with the response of the Napa County Fire Chief.

Updated response (2017): Both recommendations [No. 1 and No. 3] were completed by the dates indicated. The Fire Service Advisory Committee continues to meet regularly with one representative from the Board of Supervisors appointed to it each year. Meeting minutes are circulated and FSAC website is update within 10 working days of every meeting. Minutes are circulated to all members of the Napa County Fire ranks. A survey was conducted of the volunteer firefighters and training issues were resolved based on responses received.

IV. Napa County Wineries

- A. Recommendation No. 1 was: By January 1, 2016, the Planning Department to increase the number of yearly winery code enforcement audits from the current rate of 20 audits per year so that every winery would be audited at least every five years or at such intervals that the Planning Commissioners or County Supervisors deem to be appropriate.

1. *Board of Supervisors*

Initial response (2015): The Board of Supervisors agrees with this recommendation. At their meeting on March 3, 2015, the Board directed staff to bring back recommendations on expanding the wine audit. The Agricultural Protection Advisory Committee (APAC) is expected to make its tentative recommendation on the structure of the wine audit (including expansion of the audit) on July 27, 2015. The APAC recommendations will be forwarded to the Planning Commission on September 2, 2015. The Commission, in turn, will forward their recommendations to the Board of Supervisors on November 24, 2015.

NOTE: The Grand Jury was advised that yearly winery code enforcement audits were suspended in 2016.

Updated response (2017): Board of Supervisors: The Board of Supervisors has held several public workshops over the past several years regarding the issue of code enforcement, and the annual winery audit. Workshops were held on March 3, 2015;

August 11, 2015; September 13, 2016; February 7, 2017; August 27, 2017; and September 11, 2017. This is in addition to the Board of Supervisors discussions on the recommendations of the Agricultural Protection Advisory Committee on December 8, 2015; January 5, 2016; and March 1, 2016, which included consideration of winery code compliance. As a result of these discussions, the Board gave the following tentative direction to staff:

- Require that all wineries within the unincorporated area annually report the following information to the PBES Director: (A) number of gallons of wine produced in the previous calendar year; and (B) number of gallons crushed and juiced in the previous year from grapes that that were grown in Napa County.
- Evaluate all production reporting pursuant to the County Winery Production Process, including the use of a rolling three-year average. For the first year of reporting only, wineries will submit data for the previous three years to determine current compliance with production requirements. Production data will be required annually thereafter.
- Acknowledge that the Winery Production Process is not equally applicable to all winery operations. Those wineries that wish to submit alternative calculations may submit an amended report, which explains the methodology proposed to calculate a winery's production and/or grape source percentage.
- Require that all wineries within the unincorporated area annually report the following information to the PBES Director: (A) number of gallons of wine produced in the previous calendar year; and (B) number of gallons crushed and juiced in the previous year from grapes that that were grown in Napa County. Those pre-WDO wineries that do not have to comply with the 75% Napa County grape source requirement would not be required to annually submit sourcing data. However, such wineries must provide annual production level reports in order to verify that they are staying within those pre-WDO established production levels.
- Require scanned Tax and Trade Bureau (TTB) and United States Department of Agriculture (USDA) documents to be submitted as attachments to verify the information submitted to the County. All information submitted to the County will be treated as proprietary and will be maintained in a secure database with limited access. Once reporting has been reviewed by staff to verify compliance, production and grape source data will be destroyed, except when used as part of an ongoing violation investigation.
- Beginning in 2018, require annual reporting for production and grape crush activities conducted in calendar year 2017.
- Conduct an inspection and full evaluation of all entitlement requirements and conditions of approval, when the reporting data submitted to the County indicates that a winery is in violation of either their production limit and/or their grape sourcing requirement. Staff will send a Notice of Violation to the owner, which will clearly list all violations and how compliance can be achieved.
- Create the software and Internet interface necessary to minimize the burden for wineries to report their annual data to the County electronically. In

addition, a database/spreadsheet will be developed to evaluate the production data in accordance with the County Winery Production Process. The software programs shall be designed to ensure that all data and analysis obtained through annual winery reporting is fully secured with restricted staff access. Staff will work with Information Technology Services (ITS) to develop the program. If additional expertise is required, ITS may hire a consultant to assist with the development of the software program. Budgets may be adjusted as necessary to accommodate the additional expenditure, following approval by the Board of Supervisors.

Final confirmation of staff direction regarding the winery audit will be considered by the Board of Supervisors early in 2018.

As noted above, the Board of Supervisors has directed staff to focus future winery audits on production and grape sourcing. Both of those reports are proprietary and protected a confidential under State and Federal law. As such, individual reporting information cannot be disclosed to the public. The Frequently Asked Questions were posted on line in August of 2015. They can be found at the bottom of this page: <http://www.countyofnapa.org/Pages/DepamrtmentContent.aspx?id=4294986786>

With regard to inspection reports of non-compliant use permits, staff will continue to make copies of the Notices of Violation available to the public. All other details related to any violation is part of the ongoing violation investigation and are not available to the public.

The Board of Supervisors provided direction to staff on March 1, 2016. The Board determined that the WDO as adopted provides an appropriate framework for processing winery applications and did not direct that any changes be made to the ordinance. It directed staff to prepare guidelines concerning variances, residential development, outdoor hospitality, locational criteria, and production comparison charts, but did not direct that any ordinance amendments be made to the WDO.

- B. Recommendation No. 3 was: By January 1, 2016, the Planning Department to make the inspection reports of non-compliant wineries more transparent to the public in much the same fashion as health code violations of restaurants are reported.

1. Board of Supervisors

Initial response (2015): The Board of Supervisors partially agrees with this recommendation. More transparency in the code enforcement process would allow both residents and visitors to know which wineries are in compliance and which are not, as well as the nature of the violations. However not all information can be made publicly available. For instance, it is County Counsel's opinion that the production, crush, and grape sourcing data provided by individual winery operators in forms submitted to the ATTB and California Department of Food and Agriculture (CDFA) are proprietary under State and Federal law and may not be disclosed to the public. Similarly, although the

names of non-compliant wineries are not released as a part of the wine audit, staff does make copies of Notices of Violation available to the public upon request, which includes the name of the property owner where the alleged violation occurred. Any other details of cases where there are ongoing violation investigations would not be available to the public. The Board will take up the issue of transparency within the overall context of the wine audit recommendations being forwarded to it by the APAC and the Planning Commission.

Updated response: None

- C. Recommendation No. 4 was: By June 30, 2016, the county Board of Supervisors and the Planning Commissioners to determine whether the Winery Definition Ordinance (WOO) as written provides the regulatory framework necessary to maintain a winery industry that is consistent with the Agriculture Preserve Ordinance.

1. Board of Supervisors:

Initial response (2015): The Board of Supervisors agrees with this recommendation. Due to growing concern regarding the rate, location, and intensity of winery development projects in the unincorporated area, the Board of Supervisors formed the APAC on March 17, 2015. The intent of the APAC was to make recommendations to the Planning Commission regarding revisions to the standards governing the development and expansion of wineries, operations, activities, and related matters. The APAC is required to report on its recommendations to the Planning Commission by September 2, 2015. The Planning Commission is then mandated to make its recommendations to the Board of Supervisors by November 10, 2015.

Updated response: None

- D. Recommendation No. 5 was: By June 30, 2016, the Planning Commissioners to establish and publish a range of penalties and/or operating restrictions for non-compliance infractions of use permit requirements. Such action should encourage wineries to be more cognizant of the cost of non-compliance.

1. Board of Supervisors

Initial response (2015): The Board of Supervisors agrees with this recommendation. Staff is currently working on a Frequently Asked Questions (FAQ) hand-out, which would include information regarding the types of fines and penalties that may be assessed for non-compliance. The hand-out will be posted on-line and will be included in future compliance workshop presentations provided by staff to the wine industry and other interested members of the public.

Updated response: None

APPENDIX D
2015-2016 REPORT RESPONSES

I. Napa County Performance Measurements

- A. Recommendation No. 1 was: Discontinue publication of the Performance Measurement Report in its current form. If the Board of Supervisors finds the activity tracking and/or division overviews useful, produce them in a more condensed and efficient way. Use the website to do so whenever possible.

1. County Chief Executive Officer

Initial response (2013): Recommendation will be implemented. Effective this fiscal year, the PMR will no longer be produced. In the future, staff will be developing performance measures that align with the strategic goals developed by the Board of Supervisors at their next Strategic Planning retreat. Rather than require specific number of measures, direction to departments will be to develop Performance Measures that measure progress toward the goals that the Board of Supervisors wants to achieve.

Updated response: None

2. Board of Supervisors

Initial response (2016): Recommendation No. 1 will be implemented.

Updated response (2017): Recommendation No. 1 was implemented.

- B. Recommendation No. 2 was: Post key activity levels ("Community Indicators") on the county website annually, or more frequently if data are available, and no later than 60 days following the end of the period being report.

1. Board of Supervisors

Initial response (2016): Recommendation No. 2 may be implemented in the future.

Updated response (2017): Recommendation No. 2 continues to be a possibility. The Board has not established new Strategic Goals, so no performance measures likewise have been developed for them. When those two actions occur, Community Indicators could be included.

2. County Chief Executive Officer

Initial response (2013): The Recommendation may be implemented in the future. Community Indicators are interesting, but not necessarily tied to the County's activities or performance. When staff develops performance measures to align with the Board's Strategic Goals, Community Indicators could be included in any publication or related website.

Updated response: None

II. Napa County Website Needs Improvement

- A. Recommendation No 2 was: In response to finding F2, clean up the website and keep it current. Verify that information is accurate, up-to-date, and easy to find.

1. *Board of Supervisors, County Executive Officer and Director of Library Services and Community Outreach*

Initial response (2016): County Executive Officer and Director of Library Services and Community Outreach agree with this recommendation. It is incumbent on County departments to ensure content is up to date and accurate, as they are the departmental subject matter experts. The Webmaster is available to assist the subject matter experts in updating, analyzing, troubleshooting and cleaning up the department pages.

Updated response (2017): The Board of Supervisors identified the need to keep the website current and upgrade the website search function, directing staff to make this a priority. Regarding Recommendation No. 4, the Board authorized the creation of a new position – Webmaster – and successfully recruited and filled the position in 2014. The Webmaster, together with department users meets regularly to share best practices and recommend changes to the website. In addition, the County conducted a Request for Proposal, purchased a new software system, with more advanced content management capabilities, and is implementing a new enhance and more intuitive website. A project point person from each County department has been engaged in the development of the new website.

NOTE: This response apparently applies to Recommendations 2, 3, 4, 5, and 6.

- B. Recommendation No. 3 was: In response to finding F3, the county should upgrade the website search function.

1. *Board of Supervisors, County Executive Office and Director of Library Services and Community Outreach*

Initial response (2016): The County Executive Officer and Chief Information Officer agree with this recommendation. In the RFP for a new CMS software system, the enhanced search tool is a key requirement. This RFP is planned to be posted during the first quarter of Fiscal Year 2016-17.

Updated response (2017): See II.A.1 Updated response.

- C. Recommendation No. 4 was: Based on findings F4 and FS, the Jury recommends that the county form an expert user group to share best practices and new web functionality among divisions.

1. *Board of Supervisors, County Executive Officer and Director of Library Services and Community Outreach*

Initial response (2016): Outreach agree with this recommendation. A bi-weekly drop in session is available to content providers to work one on one with the Webmaster. The Webmaster meets with departments individually when needed and constantly is reviewing analytics, website chat data and seasonal/scheduled events to enhance the user's experience. Until further resources become available, a recommendation by department heads to the Director of Library Services and Community Outreach to realign the content providers into two distinct users groups will be implemented in Fiscal Year 2016-17. Representatives from each department will serve on the Users Experience (UX) group to ensure County-wide consistency in the user experience from department to department. A group of application experts will also be convened. The application experts will work closely with the department's UX contributor to assure that any changes made are done with the end user in mind.

Updated response (2017): See II.A.1 Updated response.

- D. Recommendation No. 5 was: In response to findings F4 and F5, recognize the website's importance as a communication, productivity, and service tool, by providing sufficient up front resources to department/division managers and to Information Technology Services to be able to implement all systems enhancements that can be cost justified through improvements in productivity and customer service.

1. Board of Supervisors, County Executive Officer and Chief Information Officer

Initial response (2016): Agree with the recommendation. The Information Technology Services Division works on a bi-monthly basis with a countywide ITS Leadership Committee (made up of a representative set of County department directors) to prioritize projects that cross the entire County. This committee has already made the improvement of the County website a top priority. Funding is provided in the Fiscal Year 2016-17 budget for improvement and once the RFP responses have been reviewed the contract for a new CMS will be brought to the Board of Supervisors for approval.

Updated response (2017): See II.A.1 Updated response.

- E. Recommendation No. 6 was: In response to Finding F5, the Board of Supervisors should challenge department and division managers to identify opportunities to improve productivity and/or customer service through the use of technology and provide the necessary up front resources to implement those opportunities that can be justified based on cost/benefit analyses.

1. Board of Supervisors, County Executive Officer and Chief

Information Officer

Initial response (2016): County Executive Officer and Chief Information Officer agree with this recommendation.

Updated response (2017): See II.A.1 Updated response.

III. Gang Activity in Napa County

- A. Recommendation No. 2 was: Continue the Legacy Program at Vintage High School and use as a model for other high schools, in particular Napa High School and Valley Oaks High School.

1. City of Napa

Initial response (2016): The recommendation to continue the Legacy Program at Vintage High School and to use as a model for other high schools has been implemented by the Napa Police Department. The recommendation to use the Legacy Program as a model for other high schools, in particular Napa High School and Valley Oaks High School will require further analysis by the Napa Police Department in collaboration with NVUSD. The analysis to use the Legacy Program as a model for other high schools, in particular Napa High School and Valley Oaks High School will include a review of staffing, fiscal, and needs considerations. This analysis will be completed by September 30, 2016.

As noted in the Report, the Legacy Program at Vintage High School has shown great success. Vintage High School has not replaced AVID with Legacy. Enrollment in the AVID program has been increasing annually and has doubled since it began. Vintage High School attributes its student academic success and a sense of belonging to this increased AVID enrollment in partnership with the Legacy Youth Project that also builds academic success and student connections.

NVUSD will be expanding the Legacy Program to Silverado Middle School, Redwood Middle School and the sixth grade class at Napa Valley Language Academy for the 2016-17 school year.

Napa High School uses the AVID and LAYLA programs to build academic success and a sense of belonging for students. Due to funding restraints, we will be analyzing where we can expand the Legacy program after the 2016-17 school year.

Valley Oak will be implementing an advisory period next year to continue to strengthen its community. Valley Oak will continue to work with Napa and Vintage High Schools in a multi-year partnership with the Acosta Consulting Team to develop more culturally responsive curriculum. Napa High will be joining the training in 2016-17.

Updated response: None

IV. Facility Management

- A. Recommendation No. 2 was: The County Board of Supervisors should direct

the County Executive Officer to compile a list of contracts for the maintenance of critical equipment and services and to institute a policy that RFPs for replacement contracts be distributed at least sixty days in advance of the expiration dates of such contracts. This policy should be in place by December 31, 2016. Any deviations from this policy should be approved by the County Executive Officer on a case by case basis.

1. Board of Supervisors

Initial response (2016): The Board of Supervisors disagrees with this recommendation. The recommendation will be implemented as follows: It is the responsibility of the Director of Public Works to establish departmental policies, procedures and goals. A policy will be in effect by May 31, 2016 which will provide for the timely contracting of maintenance services. The Public Works Department has compiled a list of contracts for the maintenance of critical equipment and services, including:

- Elevators: Awarded to KONE, Inc. on April 19, 2016
 - Generators: Awarded to Peterson Power Systems, Inc. on April 19, 2016
 - Heating Ventilation and Air Conditioning (HVAC): Awarded to Bell Products, Inc. on May 10, 2016
 - Fire alarms and sprinklers: Expected award date is August 2, 2016
- The Director of Public Works will annually review services provided beginning in June, 2017, will track changes to equipment that may impact the scope of work included in the contract, and will develop a timeline to ensure that a request for proposal process will be undertaken and a new contract is in place at least 60 days prior to expiration of the existing service contract.

Updated response (2017): The policy was not put into place by May 31, 2016, because the policy became unnecessary once the Public Works Department reviewed County policies regarding contracting for maintenance services. The Department did create list of contracts for the maintenance of critical equipment and services and continues to maintain a listing of contracted maintenance services, including contract budget amounts and expiration dates. Contracts are amended as needed pursuant to County policy when there are changes in the scope of work, which may include addition equipment or an increased scope of services. Expiration dates are reviewed annually, and the Department takes appropriate steps to conduct competitive procurement process as required by the County's Purchasing Policy.

V. Is Napa County Financially Healthy

- A. Recommendation No. 1 was: As a result of F3, the Grand Jury recommends that Napa County institute a schedule in the Management's Discussion and Analysis Section of the CAFR that explains the negative variance from "Actual

Amount (Budgetary Basis)" and "Variance with Final Budget" in "Aid from other governments." The Grand Jury believes that including the information outlined below will clarify the actual situation for the average citizen.

Explanation of Aid from other governments

County Capital Project No.	County Project Description	Date Project Initiated	Total Amount Budgeted	Actual Amount Realized in Previous Years	Actual Amount Realized This Year	Amount Carried Forward
The amount carried forward for the total of all projects will be the same as the Negative Variance in Aid from other governments						

1. Auditor-Controller

Initial response (2016): The Auditor-Controller agrees with this recommendation and can appreciate providing the public with additional information to make the CAFR more useful. Due to restrictive requirements by Governmental Accounting Standards Board in respect to the content of the CAFR, staff will work with the County's external auditors to determine the best placement and display of the information.

Updated response (2018): Due to the highly regulated nature and specific requirements of the County's Comprehensive Annual Finance Report (CAFR), the Auditor-Controller will continue to determine what changes, if any, can be made to that report. (see attached letter dated October 30, 2017)



**NAPA COUNTY GRAND JURY
2017-2018**

MARCH 30, 2018

FINAL REPORT

**REVIEW OF RESPONSES TO THE
2016-2017 GRAND JURY
REPORTS**

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REVIEW OF RESPONSES TO THE 2016-2017 GRAND JURY REPORTS MARCH 2018

INTRODUCTION

SUMMARY

California Penal Code §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.¹ Section 933.05 specifies the way the responding parties are to make their responses. These responses are transmitted to the presiding judge of the superior court.

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

- (1) The respondent agrees with the finding.
- (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation for the reasons therefor.

The response to a RECOMMENDATION must be provided in one of the four following 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* (emphasis added).
- (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. *This*

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

timeframe shall not exceed six months from the date of publication of the grand jury report (emphasis added).

- (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

The 2016-2017 Napa County Grand Jury issued its Consolidated Final Report on June 30, 2017. The report consisted of seven individual final reports, one of which was a review of responses to the 2015-2016 Grand Jury reports (the “Continuity Report”). The grand jury made findings and recommendations in all its investigative reports. As part of the grand jury’s commitment to continuity, to its processes and to the law, the 2017-2018 Grand Jury has analyzed for statutory compliance the required responses by elective officials, agency heads, and government agencies to all six of the 2016-2017 Grand Jury’s investigative reports.² The Grand Jury concludes that many of the responses did not comply with the provisions of Section 933.05.

METHODOLOGY

The 2017-2018 Grand Jury evaluated responses to the 2016-2017 Grand Jury’s recommendations to ensure compliance with §933 and §933.05 using the statutory criteria.

§933(c) Were responses received 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 §933.05(a)?

- (1) The respondent agrees with the finding, or
- (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

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

- (1) The recommendation has been implemented, with a summary regarding the implemented action; or
- (2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation; or
- (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public

² Those comments to last year’s Continuity Report are not included.

agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report; or

- (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with explanation therefor.

DISCUSSION

Timelines

Details of 2016-2017 report publishing dates and the due dates of the responses are shown below in Table 1. All responses were provided within the specified time requirements.

Table 1

Review of Response to 2015-2016 GJ Reports

RESPONDENT	Date Published	Reply Due	Date Received	Update Request
NONE	6/9/17	N/A	N/A	N/A

Napa County Fairgrounds

RESPONDENT	Date Published	Reply Due	Date Received	Update Request
Board of Supervisors	6/9/17	9/7/17	8/21/17	N/A

Napa Child Abuse Hotline

RESPONDENT	Date Published	Reply Due	Date Received	Update Request
Director of H&HS	6/9/17	9/7/17	8/21/17	N/A
Board of Supervisors	6/9/17	9/7/17	8/21/17	N/A

Juvenile Hall

RESPONDENT	Date Published	Reply Due	Date Received	Update Request
Board of Supervisors	6/21/17	9/19/17	8/21/17	N/A
Chief Probation Officer	6/21/17	9/19/17	8/21/17	N/A

Can't Find a Parking Place in Downtown Napa

RESPONDENT	Date Published	Reply Due	Date Received	Update Request
Napa City Council	6/21/17	9/19/17	8/16/17	N/A

Napa County Jail

RESPONDENT	Date Published	Reply Due	Date Received	Update Request
Board of Supervisors	6/28/17	9/26/17	8/17/17	N/A

NVTA 2040 Plan

RESPONDENT	Date Published	Reply Due	Date Received	Update Request
Executive Director NVTA	6/30/17	9/28/17	8/1/17	N/A
Board of Supervisors	6/30/17	9/28/17	8/21/17	N/A
NVTA Board of Directors	6/30/17	9/28/17	8/1/17	N/A

Response Requirements

Despite the clear requirements of Penal Code §933.05, the 2017-2018 Grand Jury found that not one of the responding elected officials, agency heads, and government agencies fully complied with the statute. Several “Findings” were responded to with the statement “Neither agree or disagree.” This is not a code-compliant response. Many “Recommendations” were addressed as though they were findings (e.g., the agency “agrees” or “disagrees”). These also are not code-compliant responses.

Appendix 1 contains a tabulation of all 2016-2017 Grand Jury Findings and Recommendations, the applicable agency responses, and the 2017-2018 Grand Jury findings regarding the responses where applicable.

FINDINGS

The 2017-2018 Grand Jury finds that:

- F1.** With respect to the Napa County Fairgrounds report, the Board of Supervisors’ responses to Recommendations R1-R6 do not comply with the provisions of Penal Code §933.05(b); no time frame identified;
- F2.** With respect to the Napa Child Abuse Hotline report, The CWS Director’s and HHSA Director’s responses to Recommendations R1-R4, and the Board of Supervisors’ responses to Recommendations R1-R4 do not comply with the provisions of Penal Code §933.05(b); one of four responses required;
- F3.** With respect to the Napa County Jail report, the Board of Supervisors’ responses to Recommendations R1, R3, R4, and R5 do not comply with the provisions of Penal Code §933.05(b); one of four responses required;

- F4.** With respect to the Napa County Juvenile Hall report, the Chief Probation Officer's response and the Board of Supervisors' response to Recommendation R1 do not comply with the provisions of Penal Code §933.05(b); one of four responses required;
- F5.** With respect to the Napa Valley Transportation report, the Board of Supervisors' response to Recommendation R1 does not comply with the provisions of Penal Code §933.05(b); one of four responses required. The NVRTA Executive Director's response and the Board of Supervisors' response to Recommendation R5 do not comply with the provisions of Penal Code §933.05. The NVRTA Executive Director's response, and NVRTA Board of Director's response and Board of Supervisors' response to Recommendation R6 do not comply with the provisions of Penal Code §933.05(b); one of four responses required.

RECOMMENDATIONS

The 2017-2018 Grand Jury recommends that:

- R1.** The Board of Supervisors and all department heads file code-compliant responses per Penal Code §933.05 to all future Grand Jury findings and recommendations.
- R2.** The NVRTA Executive Director, the NVRTA Board or Directors and the Board of Supervisors each file a code-compliant response per Penal Code §933.05 to all future Grand Jury findings and recommendations.

REPORT: THE NAPA COUNTY FAIRGROUNDS: The County's Orphan Asset

FINDINGS

- F1.** The Napa County Fairgrounds is a substantial asset, both to Napa County, and especially to the City of Calistoga and the surrounding northern Napa Valley community.

Response, Board of Supervisors: The Board of Supervisors agrees with this finding.

- F2.** At the outset, the Board of Supervisors delegated the operation and maintenance of the Fairgrounds to a private, not-for-profit organization to which it provided little or no oversight and that this arrangement has never been seriously reviewed.

Response, Board of Supervisors: The Board of Supervisors (BOS) disagrees in part with this finding. Napa County began its contractual arrangement with the private, not-for-profit organization known as the Napa County Fair Association (NCFA) in 1994; however, it has been in a longstanding relationship for many years prior to that date. Pursuant to State law the BOS has always reviewed and approved the annual budget for the NCFA. Beginning in 2013 with the loss of State funding, the obligation to formally approve and then submit the annual budget to the State was removed. As evidenced in the revised Agreement between the County and NCFA, the annual budget is submitted to the County but does not require Board approval. In 2008, the BOS requested that the NCFA adopt the Ralph M. Brown Act for greater transparency in its meetings. Also in 2008 the Board requested that the NCFA broaden its outreach to encompass the entire Napa Valley. The NCFA expanded its Board to include a broader representation from throughout the county and beginning in 2013 the BOS appoints three members to the NCFA Board. A partial list of accomplishments in the past decade include: revised employee benefit package; established written Procedure Manual creating Board development through training in such areas as ethics and Brown Act; converted to a 501(c)(3); completed a rewrite of the Bylaws and restated Articles of Incorporation; participated in the Valley Fire; created a volunteer program; and successfully negotiated cell tower rentals.

Through its County Executive Officer and Auditor-Controller, Napa County has provided oversight to the Executive Director of the Fair Association. The County's leadership team meets with the Executive Director (since 2010 when the current Executive Director was hired) regarding ongoing issues dealing with the facilities and general operations, and provides guidance on long-term sustainability of the Fairgrounds. The BOS recently appointed two members to work two-by-two with City Council of Calistoga members to review the governance structure of the Napa County Fairgrounds; those four members will be providing recommendations to the Board of Supervisors and the City Council, respectively, by the end of 2017.

- F3.** Failure to exercise proper stewardship of the Napa County Fairgrounds has been institutionalized in the behavior of all responsible for several generations.

Response, Board of Supervisors: The Board of Supervisors disagrees with this finding. As mentioned above, the Board has increased its oversight of the NCFA in the last 15 years. However, with dwindling resources and other higher countywide priorities the Board acknowledges that the Fairgrounds have suffered.

What has occurred at the Napa County Fairgrounds is not unique to it. The problem of insufficient revenues and declining infrastructure exists throughout the fair industry. Many fairgrounds, including the State facilities, were built with the belief that local funding and governance would carry the industry, i.e. local fair boards would be more responsive to community needs with members of the fair boards coming from within each unique community rather than oversight from the State or even county level. However, that system did not provide or require training for the proper stewardship of public facilities or a financial reporting system that encouraged building contingency funds for major maintenance facility projects when state funding was abundant. When state funding ended, most fairgrounds were left to survive as best they could.

- F4.** The current Fairgrounds operations consist of the County Fair and four separate enterprises, the management and maintenance of which exceeds the expertise and resources of the Napa County Fairgrounds Association.

Response, Board of Supervisors: The Board of Supervisors agrees with this finding. The Executive Director of the NCFA is extremely knowledgeable about fair operations. However, there is not the financial resource available to fully staff and administer ongoing programs, particularly within the limitations of a five-year contract term required by the Government Code. Maintaining the approximately 70-acre facility exceeds the financial resources of the NCFA. Restricted by the five-year term, the NCFA is unable to leverage assets for long-term debt financing. As such, whenever major facility projects are identified, the NCFA's only option for funding is to reallocate its very limited cash flow.

F5. The Napa County Fairgrounds and its buildings are in a state of chronic decay, the result of systemic lack of necessary maintenance and by at times overt neglect that has extended over most of the Fairgrounds' existence.

Response, Board of Supervisors: The Board of Supervisors disagrees with this finding. The buildings are not in decay; they are safe, but considering that the most recent building was constructed in 1988 and the first in 1948, they could use a facelift and are in need of long-term investment to extend their useful service.

Since 2010, the NCFA has invested over \$300,000 in infrastructure improvements including replacing the Tubbs Building sewer line, new swamp coolers on the Tubbs Building and Butler Pavilion, renovating the RV Park restrooms (new fixtures and motion-activated lighting}, replacing the reclaimed water pond pump, and the addition of permanent ADA parking stalls. During that same time, nearly \$70,000 in new equipment purchases or leases were made for new tables, chairs, and an indoor stage for special events; lawn mowers and rental carts for the golf course; ADA workstations, countertops, doors, and hardware; and picnic tables.

There has also been significant investment from volunteers both in time and resources to improve the racetrack and other facilities.

F6. The State's severe reduction of financial support for the Napa County Fair in 2011 may have abrogated its Land Tenure Agreement with Napa County. Regardless, the Land Tenure Agreement expires in 2024.

Response, Board of Supervisors: The Board of Supervisors agrees with this finding. With approval of the Agreement between NCFA and the County in 2013, it was agreed to continue fairgrounds operations so long as could be done without financial support from the County, providing the NCFA with the opportunity to find long-term sustainability solutions. It is important to note that funding was reduced from approximately \$200,000 to the almost \$35,000 NCFA received in 2016.

F7. The Napa County Fair itself is in serious decline, with its continued operation in doubt.

Response, Board of Supervisors: The Board of Supervisors agrees in part with this finding. Over the past 25 years, as each individual community within Napa County has developed its own 4th of July celebration, participation in the County Fair has declined. The celebration of community life through the County Fair is not in jeopardy, only the time of year it currently takes place. The NCFA continues to look at dates, duration and type of activities that encourage attendance.

- F8.** The ancillary function of the Fairgrounds as an emergency refuge for victims of flooding, wildfires, or earthquake is important, even vital, to any future development of the Fairgrounds themselves.

Response, Board of Supervisors: The Board of Supervisors agrees with this finding. The NCFAs mission is to serve the citizens of Napa County with cultural, social, and economic benefits in times of celebration as well as need. This mission has existed for the NCFAs since 2013, underscored by its significant role in the Valley Fire shelter operations. The Fairgrounds is identified as a primary evacuation center site in the County's Emergency Operations Plan (EOP). While the sheer size of the Fairgrounds was a huge bonus for the 2015 Valley Fire response, the site is a primary location due to its location rather than its size. The Valley Fire Shelter was an atypical response. The County plans for shelter operations on a much smaller scale. During previous evacuation events for Floods and Fires evacuee populations totaled less than 100 at County evacuation centers. The benefits of the Fairground location is: 1) the County owns the property so approvals to use the site are not complicated; 2) large numbers of evacuees can be accommodated with support facilities; 3) animals can be accommodated at the Fairgrounds locations, unlike other County locations; and 4) Fairgrounds staff are trained in Emergency Response and their assistance and coordination proved invaluable during the Valley Fire Shelter response. If governance changes, it is currently anticipated that the Fairgrounds will continue to play an important part in the countywide emergency services plans.

- F9.** The conduct of the Napa County Fairgrounds Association Board has been at times dysfunctional, with some Board members publicly complaining about lack of transparency in the Board's financial reporting.

Response, Board of Supervisors: The Board of Supervisors disagrees with this finding in part. While some NCFAs members have complained, the NCFAs has had its most transparent financial operation since it established a finance committee in 2012. All financial records are made available to the public. Monthly financial statements are provided to the full Association board and the agenda packets made available at each board meeting and online. The finance committee reviews the detailed financial reports quarterly and presents them for final acceptance to the full NCFAs board. Financial reports are presented to the NCFAs membership at its annual meeting by the finance committee chairperson. The finance committee also completes the annual Statement of Operations (annual report) for submittal to the California Department of Food and Agriculture and presents the report to the NCFAs. Recently, with the rebranding of the NCFAs website, it has included the NCFAs audits from 2010. An independent Auditor is employed annually by the Association to perform a full audit of the Associations financial records, reporting and financial management every other year, with a complete financial review in the alternating years. The Auditors' report and management letter are placed on the Board's agenda at a regular Board meeting for review, public input, and approval by the Board.

F10. Some of the complaints expressed by the former dissenting members of the Napa County Fairgrounds Association Board have merit: complaints about golf course maintenance, managerial decision making, and a general lack of transparency.

Response, Board of Supervisors: The Board of Supervisors disagrees with this finding. The golf course maintenance issue is a recent one. Public comments received from golfers from 2012-2015 praised the golf course maintenance operation. In 2016 the course experienced problems due to the drought and a damaged irrigation system; the conditions were corrected prior to the end of the year due to a concerted effort of personnel time, financial resources, and reengagement of professional consultants. The Board of Supervisors and management of the NCFA acknowledge the need for professional golf course management but lack the funds necessary to contract with such an individual or firm. Regarding transparency, current Association management brought the Board into compliance with the Brown Act beginning in 2010, including annual training of board members. Since then, the NCFA has developed a comprehensive written policy manual. All board meeting and standing committee meeting agendas are publicly noticed. Minutes and supporting documentation are made available online and at the meetings. Recently, the NCFA added additional financial reports to its website. The NCFA has never been more transparent to the public in its history than in the last 7 years.

F11. A Joint Powers Authority (or Agreement), currently being discussed by the Board of Supervisors and the Calistoga City Council, could allow for long term contracts with concessionaires to incentivize investment in and development of Fairgrounds facilities.

Response, Board of Supervisors: The Board of Supervisors agrees with this finding. Since October 2016, designated members of the Board of Supervisors and Calistoga City Council have been meeting to develop a mutually agreed upon governance model. It is anticipated that a recommendation will be discussed with the full Board of Supervisors and City Council by the end of the calendar year.

RECOMMENDATIONS

R1. Any actions taken on renovation, development, or repurposing of the Napa County Fairgrounds involve explicit agreement between the Napa County Board of Supervisors and the City of Calistoga.

Response, Board of Supervisors: The Board of Supervisors agrees with this recommendation. The approximately 70 acres which comprise the Napa County Fairgrounds represent a significant asset for the County of Napa. The Board of Supervisors is committed to working with the City of Calistoga and has appointed two representatives to work with representatives from the City to examine the governance of the Napa County Fairgrounds and jointly plan for its future, although the County will continue to own the land.

2017-2018 Grand Jury Finding: This does not comply with §933.05(b); one of four responses required, and no time frame identified.

R2. By December 31, 2017, the Napa County Board of Supervisors direct the County Executive to investigate whether any California counties with similar land tenure agreements concerning their county fairs have terminated those agreements and, if so, what consequences they experienced.

Response, Board of Supervisors: The Board of Supervisors disagrees with this recommendation because it is not necessary. Statewide, no other such land tenure agreement exists.

2017-2018 Grand Jury Finding: This does not comply with §933.05(b); one of four responses required.

R3. By 2020, the Napa County Board of Supervisors fully determine the implications of the agreement's 2024 termination and set in place plans for the Fairgrounds future development and operation.

Response, Board of Supervisors: The Board of Supervisors agrees with the recommendation and is working with the City of Calistoga to create a governance structure which will provide for the future development and operation of the Fairgrounds. As reported during its discussion at its September 20, 2016 meeting, the Boss acknowledges the funding difficulties facing the NCFCA, which is why the effort is being made to work with the City of Calistoga to change the governance structure.

2017-2018 Grand Jury Finding: This does not comply with §933.05(b); one of four responses required, and no time frame identified.

R4. The Napa County Board of Supervisors' plans for the Fairgrounds' future include provisions for the Fairgrounds' use as an emergency refuge for the victims of natural disasters in the region.

Response, Board of Supervisors: The Board of Supervisors agrees with the recommendation. The County continues to include the Fairgrounds in all its emergency preparedness planning as a primary location for providing services during an emergency response. The last time the facilities were used for that purpose by Napa County was in 2015 during the Valley Fire. In addition, the NCFCA supports this, as evidenced by its recommendation to the County and City concerning the proposed JPA: the Fairgrounds should continue "as a place supports (sic) emergency preparedness, response, and disaster relief" needs of the community.

2017-2018 Grand Jury Finding: This does not comply with §933.05(b); one of four responses required.

- R5.** As soon as practicable, the Napa County Board of Supervisors contract the operation of the Calistoga Raceway, the Mount St. Helena Golf Course, and the Calistoga RV Park to concessionaires knowledgeable and competent to operate those enterprises efficiently and profitably.

Response, Board of Supervisors: The Board of Supervisors agrees with this recommendation. The two by two consisting of two members from the Board of Supervisors and two members from the City of Calistoga City Council together with the City Manager, the Interim County Executive Officer and staff will be making recommendations to the full City Council and Board of Supervisors by the end of 2017 regarding the governance and ongoing operations of the Fairgrounds. Once the governance is resolved the next step is to identify long term partnerships but between jurisdictions and possibly private industry that would result in the best utilization of the Fairgrounds with the greatest community impact and benefit.

2017-2018 Grand Jury Finding: This does not comply with §933.05(b); one of four responses required.

- R6.** As soon as practicable, the Napa County Board of Supervisors revise its contract with the Napa County Fairgrounds Association to focus that organization's efforts exclusively on the funding and operation of the Napa County Fair and related community activities.

Response, Board of Supervisors: The Board of Supervisors partially agrees with this recommendation. The two by two consisting of two members from the Board of Supervisors and two members from the City of Calistoga City Council together with the City Manager, the Interim County Executive Officer and staff will be making recommendations to the full City Council and Board of Supervisors by the end of 2017 regarding ongoing operations of the Fairgrounds. This will include recommendations regarding the relationship with the NCFA but may not include the ongoing operation of the Napa County Fair.

2017-2018 Grand Jury Finding: This does not comply with §933.05 (b); one of four responses required.

REPORT: NAPA CHILD ABUSE HOTLINE

FINDINGS:

- F1.** The on-call duty rotated among all social workers and supervisors requires answering calls overnight, on holidays, and on weekends, which contributes to burnout.

Response of CWS Director and HHS A Director: Agree. The CWS Director acknowledges that after-hours coverage can contribute to staff burnout. However, a critical function and mission of the CWS Division is to keep children safe. One aspect of doing so is through the provision of effective, high-quality screening of Hotline calls. The CWS Director believes a balance can be achieved through changes in after-hours coverage and scheduling, discussed in further detail in the response to Finding 2 and Recommendation 1, below.

- F2.** Implementation of the new Crisis Stabilization Unit should result in a higher level of screening after-hours incoming calls, resulting in fewer non-appropriate calls being referred to on-call social workers and supervisors.

Response of CWS Director and HHS A Director: Disagree. At the time the Grand Jury was deliberating, a review of after-hours coverage of the Hotline was already underway and the idea of the new mental health contract provider operating the Crisis Stabilization Unit (CSU) assuming the screening of after-hours calls was being considered. Since that time, a decision was made to enhance after-hours coverage of the Hotline through scheduling changes and staffing provided by CWS Division staff. This will expand the higher level screening of after-hours calls by qualified staff with expertise and training in child welfare, while resulting in fewer non-appropriate calls being referred to on-call social workers and supervisors. This approach also ensures adherence to the confidentiality laws governing child welfare and who may legally access such records. As an example, only CWS Division staff has the ability to access the state-wide database used for child welfare documentation which contains the information necessary to properly screen Hotline calls.

- F3.** A full and proficient staff at Child Welfare Services contributes to handling referrals sooner and promotes opportunities for staff to have more effective interactions with families.

Response of CWS Director and HHS A Director: Agree. It is unclear what is meant by the term "full," however, since the time of the Grand Jury's deliberations the Board of Supervisors (BOS) approved the addition of a new position in the CWS Division's Emergency Response Unit (the unit responsible for receiving hotline calls during normal business hours). This added resource will positively impact the timely response and triaging of referrals. As it pertains to proficiency, as the Grand Jury report indicates, CWS staff has continued to receive training on Safety Organized Practice (SOP), Structured-Decision Making (SDM), and other best practices. The

work of child welfare is governed by a complex set of laws and regulations. It is acknowledged that proficient staff is needed to keep children safe and promote effective interactions with families. With this reality in mind that, as stated above, a decision was made to expand the after-hours coverage of Hotline calls (i.e., referrals) provided by CWS Division staff. This approach takes advantage of the vast experience and knowledge in child welfare that can only be found in the CWS Division. This approach also helps to promote consistent screening of referrals and enhances the ability of the CWS Division to provide seamless coverage when referrals are transitioned from after-hours to normal business hours.

- F4.** The public is often hesitant to report suspected child abuse and neglect to the Hotline for fear children will be removed from their families, and therefore may not call in to voice their concerns for child safety.

Response of CWS Director and HHSA Director: Agree. The Grand Jury should be applauded for its accurate assessment of how the public often feels in reporting suspected child abuse and neglect. This is an underlying dynamic and reality that the CWS Division routinely encounters -and, it is among the many challenges inherent in the work. With that background in mind, the CWS Division strives to make reporters of child abuse and neglect feel as comfortable as possible. To that end, it is important to note that if a caller (i.e., member of the public) desires to remain anonymous, that, too, is respected since the overarching goal is to obtain information critical to the safety and well-being of children.

Although a more thorough explanation is provided in response to Recommendation 3-that the CWS Division record Hotline calls -the issue is briefly discussed here since the Grand Jury identified that the public is often hesitant and fearful of making calls to the Hotline. While HHSA appreciates that the Grand Jury's recommendation is rooted in providing staff training and quality assurance, it disagrees that recording calls is an appropriate solution because of its potential chilling effect. The CWS Division knows firsthand that callers are often very uncomfortable when making Hotline calls. With that realization in mind, there is grave concern that recording Hotline calls runs counter to the goal of promoting an environment that encourages disclosures. Callers may simply refuse to call the Hotline for *further* fear of not wanting their disclosures to be recorded or their identity known. In the end, the ability of members of the public to remain anonymous, and the CWS Division's ability to provide legally mandated confidentiality to persons who make mandated reports pursuant to the Child Abuse Neglect and Reporting Act (CANRA), would be undermined.

- F5.** Napa Health and Human Services is not active enough in informing the public regarding all aspects of the Hotline.

Response of CWS Director and HHS Director: Agree in part, disagree in part. The Hotline number is readily available via the internet; a primary resource relied upon for accessing information today. As an example, when performing a Google search, the CWS Division's intranet page, located on the countyofnapa.org website, readily appears and provides the public both the local Hotline number (707) 253-4261 and the toll-free Hotline number (800) 464-4216. Additional outreach regarding reporting suspected child abuse and neglect, including promotion of the Hotline, is conducted at trainings provided throughout the year at different organizations. It is important to note that the Hotline is not the only mechanism for reports of suspected child abuse and neglect. Members of the public are also always encouraged to call 911 - a number requiring no memorization - or law enforcement directly who, in turn, are legally required to make cross-reports of suspected child abuse and neglect to the CWS Division. That said, the CWS Director agrees that improvements to public awareness can be made. The specific efforts that will be made are addressed in response to Recommendation 2, below.

- F6.** Technology capable of recording calls would be useful to CWS for training purposes and quality assurance.

Response of CWS Director and HHS Director: Disagree in part, agree in part. As explained in the response to Finding 4, above, and Recommendation 3, below, HHS disagrees that recording calls is an optimal solution. As the Grand Jury has otherwise found, the public is often hesitant to report suspected child abuse and neglect to the Hotline. The CWS Division therefore has an interest in not implementing practices that discourage Hotline calls and thwart the Division's ability to receive anonymous calls from the public at-large. The CWS Director and HHS Director agree that reviewing Hotline calls would be useful to CWS for training purposes and quality assurance. However, it is believed that can be accomplished in ways that do not heighten the public's fear of reporting. That issue is discussed further in response to Recommendation 3, below.

- F7.** Introducing technology allowing greater flexibility for CWS staff to work off-site would improve job efficiency and satisfaction.

Response of CWS Director and HHS Director: Agree in part, disagree in part. It is unclear what *greater flexibility* and *working off-site* means. However, HHS promotes and supports job efficiency and satisfaction while ensuring the needs of the public, and the families and children we serve, are always met. In some instances, because services are delivered "in the field" or "in the home," staff's work necessarily extends to off-site locations. Further, given the nature of after-hours coverage, staff often work off-site and are provided with the resources to do so. Staff has increasingly been provided with County-issued iPads for use during business hours and after-hours to remotely access information. The CWS Division will continue to

evaluate whether additional technology can provide greater flexibility for staff to work off-site while ensuring services are not compromised and the expectations of the public are met.

- F8.** After-hours calls regarding urgent child safety matters to Napa Child Welfare Workers living outside the County often result in longer response times.

Response of CWS Director and HHS Director: Agree in part, disagree in part. By way of background, Hotline calls, whether received during business hours or after-hours, are triaged and categorized. For those after-hours referrals determined to require an "Immediate Response," it is important to note that *law enforcement is present at-the-scene*. Therefore, even if a worker lives outside the County, and the response time is commensurate therewith, urgent child safety matters do *not* result in children being in unsafe situations. It is also worth noting that pursuant to Division 31 regulations that govern child welfare services in California, an "Immediate Response" requires an in-person response *within 24 hours*. In Napa County, the CWS Division requires an in-person response *within two hours*. The CWS Director and HHS Director are unaware of any after-hours "Immediate Response" referrals in which the two hour response time has not been met.

- F9.** The high cost of housing is a major factor resulting in many Napa Child Welfare Workers living outside the county.

Response of CWS Director and HHS Director: The cost of housing may be one of many factors contributing to CWS Division staff living outside the County. However, for some staff, living outside the County is desirable given the nature of the work (i.e., removing children from parental care, terminating parental rights, etc.) and to provide better separation between work life and personal life.

<p>2017-2018 Grand Jury Finding: This does not comply with §933.05(a). Requires an "agree" or "disagree" response.</p>

RECOMMENDATIONS:

- R1.** During its initial six months of operation, the Department of Health and Human Services conduct a performance review of the Crisis Stabilization Unit regarding its effectiveness in handling after-hours calls to the Hotline. Results of the review to be reported to the Board of Supervisors no later than June 30, 2018.

Response of CWS Director and HHS Director: Disagree. As stated in response to Finding 2, above, at the time the Grand Jury was deliberating, a review of after-hours coverage of the Hotline was underway and the idea of the new mental health contract provider operating the CSU assuming the screening of after-hours calls was one of

many options being considered. Since that time, a decision was made to provide expanded after-hours coverage of the Hotline by CWS Division staff directly. This will be done through scheduling and staffing changes that will allow for CWS Division staff to respond to Hotline calls during peak periods. It will also ensure that such screening is done by CWS Division staff with the requisite expertise in child welfare and the complex laws and regulations that govern the work. This approach also has the benefit of minimizing hand-offs and related disruption between the work of a contracted mental health provider and CWS Division staff who will continue the child welfare work during normal business hours. And, as stated previously, due to the strict confidentiality laws governing child welfare, only CWS Division staff has the ability to access the state-wide database used for child welfare documentation which contains the information necessary to properly screen Hotline calls.

Response1 Board of Supervisors: The Board of Supervisors agrees with the CWS and HHSA Directors.

2017-2018 Grand Jury Finding: This does not comply with section 933.05(b); one of four responses required.

- R2.** Department of Health and Human Services develop a detailed plan of outreach to increase public awareness of the Hotline. This will include, but not be limited to, presentations to schools and places of worship, articles for local newspapers, and public service messages on local radio and TV stations, as well as updated written and online materials. Plan to be completed by January 31, 2018, with implementation within six months thereafter.

Response of CWS Director and HHSA Director: Agree in part, disagree in part. As stated above in the response to Finding 5, the Hotline number is readily available via the internet. Additionally, the Hotline is promoted at trainings provided throughout the year at different organizations. However, the CWS Director agrees that improvements to public awareness can be made. Over the next six months, the CWS Director will work with the County Public Information Officer to increase public awareness of the Hotline. The CWS Director will also partner with the Napa Child Abuse Prevention Council (CAPC) (the entity charged with organizing and implementing child abuse prevention activities) to promote awareness of the Hotline. Further, the CWS Director will partner with CAPC to expand mandated reporter trainings throughout the community, which, in turn, promotes awareness of the Hotline and the reporting process for suspected child abuse and neglect.

2017-2018 Grand Jury Finding: This does not comply with §933.05(b); one of four responses required.

R3. Department of Health and Human Services evaluate technology currently in use, including the ability to record calls, track staff schedules, and accommodate off-site staffing. Upgrades determined to be worthwhile and cost effective are to be included in budget requests to the Board of Supervisors for Fiscal year 2018.

Response of CWS Director and HHS Director: Disagree in part, agree in part. As stated in the response to Finding 4 (the public being hesitant to call the Hotline) and Finding 6 (using technology to record Hotline calls), the CWS Director and HHS Director disagree that Hotline calls should be recorded. However, since the goal of recording is to provide staff training and quality assurance, the CWS Director believes this can instead be achieved by supervisors directly participating in Hotline calls, when appropriate for staff training and development, and/or periodically monitoring Hotline calls for quality assurance. This process helps ensure that the experience for callers is a respectful one designed to promote disclosures and minimize fear. It also has the advantage of providing training and quality assurance in real time versus through a retrospective process.

As stated in response to Finding 7 (staff technology to work off-site), staff has increasingly been provided with County-issued iPads for use during business hours and after-hours to remotely access information. The CWS Division will continue to evaluate what additional technologies exist to support the work of staff in the field.

It is unclear what the Grand Jury means by technology to "track staff schedules," however, the CWS Division currently uses various systems to track staff schedules, including an after-hours calendar, an on-duty calendar, an Emergency Response Unit calendar, and an in/out white board. The CWS Director will consider whether any technology to automate these tracking mechanisms *would be useful* to the CWS Division.

As of the drafting of this response, no specific technology upgrades have been identified that require inclusion in the Fiscal Year 2017-2018 budget, which has already been approved by the BOS in June 2017. Staff who need County-issued iPads have been provided them, and the CWS Division is able to meet any additional iPad needs within its existing budget.

Response, Board of Supervisors: The Board of Supervisors agrees with the CWS and HHS Directors.

<p>2017-2018 Grand Jury Finding: This does not comply with §933.05(b); one of four responses required.</p>

R4. Napa County Board of Supervisors continue efforts to promote development of affordable housing within Napa County and show evidence of such action by means of public notice and/or documents by December 31, 2017.

Response, Board of Supervisors: The Board of supervisors agrees with this recommendation. At the regular meeting of September 12, 2017, the Board will discuss available resources within the Housing Fund, and housing needs and priorities.

<p><i>2017-2018 Grand Jury Finding:</i> This does not comply with §933.05(b); one of four responses required.</p>

REPORT: CAN'T FIND A PARKING SPOT IN DOWNTOWN NAPA?

FINDINGS:

- F1.** Current decentralized approach of parking management is cumbersome and inefficient.

Response of the City of Napa: The City partially agrees with this finding. The management of public parking necessarily requires the coordination of responsibilities (e.g., maintenance, operation, enforcement, policy, etc.) among many departments (e.g., community development, finance, public works, parks & recreation, police, etc.). This structure is not necessarily "cumbersome" or "inefficient"; however, opportunities to optimally manage parking programs occur when these functions are placed under one department where responsibilities are monitored in a comprehensive manner and as a primary responsibility. The City agrees this is important and therefore has committed to hiring a Parking Manager who will serve as the primary point of contact and be responsible for centralized management of the parking to optimize coordination and communication of a coordinated parking program (see City Response to Recommendation 1, below).

- F2.** Adequate parking exists in the Downtown Area; existing parking garages are under-utilized.

Response of the City of Napa: The City agrees with this finding. Existing peak parking demand is within industry accepted levels for effective supply established at 85% for on-street parking and 90% for off-street parking.

- F3.** Parking enforcement is hampered by outdated equipment and lack of personnel.

Response of the City of Napa: The City partially agrees with this finding. The 'camera system' currently in use in the Parking Enforcement vehicles only works in one of the two vehicles. Additionally, the system is outdated, and the City is in the process of replacing the system (see City Response to Recommendation 2, below). The City agrees there is an important question regarding the adequacy of personnel to enforce parking requirements, and the City has identified a plan to evaluate the sufficiency of staffing, and determine whether modifications to staffing levels will be recommended (see City Response to Recommendation 2, below). With current staffing levels at two full time (40 hours per week) Parking Enforcement employees assigned to the Police Department Traffic Bureau, there is effectively a net total of 3,054 working hours per year. This is based on 2080 hours per employee per year (52 weeks times 5 work days, times 8 hours), less time off for holidays, vacation, sick leave, and training (which averages approximately 553 hours per employee per year), multiplied by two employees equals 3,054 total working hours per year ($[2080 - 553] \times 2 = 3,054$). Napa Municipal Code Sections 10.36.220 and 10.36.230 establish the hours during which parking is regulated in the central business district and in other business districts, between 8:00 a.m. and 6:00 p.m. on every weekday (other than holidays), which equates to 2,480 hours per year.

F4. Short-term parking rules are ignored by many merchants and their employees.

Response of the City of Napa: The City does not have sufficient information to agree or disagree with this finding. The City does have anecdotal information that indicates that there are some merchants and their employees who violate short-term parking rules.

<p>2017-2018 Grand Jury Finding: This does not comply with §933.05 subdivision (a). Requires an “agree” or “disagree” response.</p>
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F5. Parking is a problem in the Oxbow Area.

Response of the City of Napa: The City does not agree with this Finding. While it is true that the increasing popularity of Downtown Napa, including the Oxbow District, is leading to greater demand for parking as new businesses are opened, the prevailing perception of an existing parking shortfall is not supported by evaluation of parking conditions. According to a downtown parking survey conducted by the City in 2014, within the Oxbow District are 1,106 parking spaces, including 184 on-street parking spaces and 922 off-street parking spaces. Peak demand during weekday and weekend periods is under 85% for on-street parking and 90% for off-street parking, which is the industry standard for determining if there is an existing parking problem. However, the City recognized that there are concentrated areas of high demand of on-street parking in the Oxbow District, such as along First Street and on McKinstry, Vernon and Water Streets. Sufficient available spaces exist north across the Oxbow Commons and in the off-street parking lots to accommodate existing demand, even during peak periods (excluding special events). A potential "problem" occurs in the future as the Oxbow District develops, including on the underdeveloped former Copia site (south), Napa County Corporation Yard, Wine Train property and the vacant parcel south of Westin-Verasa, if these developments do not account for their increased parking demand as they expand or develop. However, private development will be required by the City to account for its newly generated parking demand on-site. Without City-owned property in the Oxbow District and the inability of the City to require as part of future development oversizing future off-street parking facilities, other alternatives may be needed such as public-private partnerships to increase parking supply in the area. The City has already, or is in the process of implementing interim measures such as constructing 90 additional parking spaces on the former CineDome property, 65 parking spaces on the City's vacant Third Street property, and 50 spaces are in design on McKinstry Street at Soscol Avenue on former unused Flood District property.

F6. The City has not identified funding for replacement of existing garages.

Response of the City of Napa: The City partially agrees with this finding. While the existing downtown parking garages (Clay Street, Second Street and Pearl Street) are of a design and age that they will warrant replacement in the future, the garages currently provide valuable parking for demand currently generated in the downtown area. The City has established some funding sources to contribute to the costs of maintaining and replacing existing garages, but they are not sufficient to replace all existing garages.

There are several assessment districts in the downtown area that are authorized to levy assessments on businesses to cover the costs of maintenance and construction of parking facilities (structures and surface lots) for the downtown area. However, those assessments currently generate approximately \$150,000 annually, which is only enough to maintain existing structures, and improve some existing lots, but there is insufficient revenue to be allocated to construction of new structures. The City imposes a Parking Impact Fee on new development in the downtown, to cover the estimated cost of constructing new parking structures to serve future parking demands. Thus, while the Impact Fee may not be used to replace existing parking spaces, it is anticipated that one or more future parking garages will replace (and increase the size of) existing parking garages, which may use combined revenue from Impact Fees and other revenue sources.

Measures to increase funding for replacement parking are identified in the Downtown Parking Plan: Implementation Plan which will be explored with the hiring of a Parking Manager by the end of the calendar year, such as leveraging City-owned real property assets to replace existing facilities, paid parking, establishing a parking facilities reserve fund to address future capital needs, and consider an infrastructure financing plan to address capital needs. Future demands for parking, and methods for mitigating parking impacts, are anticipated to change over time as a result of expanding technologies such as driverless vehicles, ride sharing, and efficient parking systems. The City's planning efforts to address downtown parking will need to be flexible as things change in the future, including the possibility that structured parking will be a less important component of an overall parking management plan.

RECOMMENDATIONS

- R1.** The City Council Appoint a Parking Service Manager to manage the parking system and its funding by June 30, 2018.

Response of the City of Napa: The City is already in the process of implementing this recommendation. On June 20, 2017, the City Council adopted Resolution No. R2017-091 approving the Budget for Fiscal Years 2017-18 and 2018-19. The Budget included funding a new Parking Manager position who will be responsible for managing the City's parking programs and infrastructure. This will help to bring programs currently performed across multiple departments into one centralized location and the position will be a subject expert responsible for coordinating improvements and enhancements to the parking programs. Development of the duties and responsibilities of the new Parking Manager position is underway with recruitment scheduled in the fall and selection of a qualified candidate at the end of the calendar year.

- R2.** The City Manager increase parking enforcement staff and replace obsolete equipment by June 30, 2018.

Response of the City of Napa: The City is currently in the process of replacing outdated equipment, and the replacement will be completed by June 30, 2018. The City has budgeted for a new full-time Parking Manager employee, who will be responsible for overseeing all

components of the parking program starting in 2018. The Parking Manager will assess the appropriate staffing needs and make recommendations to the City Manager. These recommendations will be made to the City Council by December 2018.

- R3.** The City Council amend the Municipal Code to make “re-parking” (block-face ordinance) in short-term spaces illegal by June 30, 2018.

Response of the City of Napa: The City Council will publicly consider an amendment to the Napa Municipal Code to address "re-parking" by June 30, 2018.

- R4.** The City Manager update the parking plan annually to reflect new developments in the Downtown and Oxbow Districts

Response of the City of Napa: This recommendation has been, and will continue to be, implemented. The City Manager routinely monitors progress toward implementation of the parking recommendations in the Downtown Parking Management Plan. After receiving the Plan in May 2015, under the direction of the City Manager, the City has: (1) constructed 90 interim parking spaces on property vacated by the CineDome within close proximity to the Downtown Core and Oxbow Districts; (2) expanded the Parking Exempt District for parcels located in the north end of the Downtown providing more funding toward a future garage in the area; (3) increased the Parking Impact Fee pursuant to a Nexus Study; (4) amended the General Plan and Zoning for a City-owned property on Third Street for 65 parking spaces within walking distance to the Downtown Core and Oxbow District; and (5) set aside funding for additional parking on Pearl Street at the former transit station.

Moreover, with the appointment of a new Parking Manager beginning in 2018, a "Re-parking ordinance" and enhanced directional signage to underutilized parking will be approved by June 30, 2018. The next two calendar years will also bring consideration of paid parking and other fiscal measures to enhance maintenance of existing parking facilities and expansion of parking in the Downtown. Available parking and future parking needs will be regularly monitored with new development, including in the Oxbow District where privately developed projects will be required to provide for the parking demand generated by these developments.

REPORT: NAPA COUNTY JAIL, Where are we headed?

FINDINGS:

- F1.** The employees and inmates of Napa County are at risk of physical injury due to understaffing and overcrowding at Napa County Jail.

Response, Board of Supervisors: The Board of Supervisors disagrees with this finding. Overcrowding and understaffing are issues that can create operational stress in a jail facility. However, attributing these factors directly to increased risks of physical injury is an oversimplification of the issue. The classification of inmates and the risk factors associated with higher security levels, increases in violent and mentally ill offenders, and influence of more sophisticated inmates are factors that may affect safety and security for staff and inmates. A crowded condition with a lower custody population does not create the same level of concern as with inmates with higher custody status. Staff is trained to address mentally ill offenders and the department relies on overtime to ensure appropriate levels of staffing. The department also relies on court-ordered releases to prevent crowding and such releases are reviewed on a daily basis. The Department has made great strides in improving its staffing through aggressive recruitment efforts using job fairs, information sessions, and nationwide recruitment using online resources. To this end, the Department has been successful in bringing eight (8) new correctional officers by August 2017. The department is also beginning testing for new officers from its most recent recruitment and hopes to fill the remaining vacancies through this process.

- F2.** The County Jail needs enhanced mental health and addiction facilities and increased counseling resources.

Response, Board of Supervisors: The Board of Supervisors disagrees with this finding. The department currently provides services through an agreement with Napa County Health and Human Services agency and has three mental health workers available on-site. This is an increase from the two positions that the department had a few years back. Jails are not designed to include addiction facilities that may be common in prisons and in an out-of-custody setting. Primarily, this is because of the relatively shorter term that offenders stay in a jail as compared to a prison facility. Substance abuse and addiction-related services are provided through the in-custody portion of the day reporting center and the Community Corrections Service Center once inmates are released from NCDC custody and placed under the authority of the probation department. The department is already working on increasing mental health services as part of the new jail which will include a dedicated area for mental health services with increased levels of care and services for both mental health and substance abuse treatment.

F3. State funding restrictions on new jail facilities inhibit the use of regional jails.

Response, Board of Supervisors: The Board of Supervisors agrees with this finding. The current rule under lease-revenue bond financing prohibits the renting of beds to another agency when a county uses state funding to build new jail beds. Napa is a county that has received three separate awards totaling nearly \$37 million toward the construction of new jail beds. Lease-revenue bond funding is received through a competitive process and each county is required to state its reasoning and need justifying the award. To date, counties have only been able to request their own jurisdictional needs, and current rules are not favorable to the use of regional jails. New laws are being drafted presently that would prevent agencies from using their existing beds to rent to any federal agency, which is designed to place further restrictions on counties that receive awards under lease-revenue bonds. Under the current climate it would be highly unlikely that multiple counties would be amenable to making changes to the existing rules to create regionalized facilities.

F4. Correctional Officer retention is a chronic problem, resulting in high turnover and higher costs and risks.

Response, Board of Supervisors: The Board of Supervisors disagrees with this finding. The issues related to recruitment and retention in law enforcement and corrections are not limited to Napa County. Many agencies are faced with similar issues as younger people are more attracted to working in environments that are lower in stress and carry fewer risks. Many agencies in California are hiring and recruitments are occurring on a continual basis. Napa County is faced with a higher turnover rate as officers that have been working for over 25 years become eligible for retirement and people leave for better opportunities with other agencies.

The County believes that with the recent increases in pay and the additional 5% granted to employees in the correctional officer series along with changes to their benefits package, the problems with retention should be significantly reduced over time. A review of existing positions within the Department indicates that only eight (8) officers remain in the agency with over 15 years of experience. This is a result of staff becoming eligible for retirement once they reach a certain age and the department has been dealing with retirement-related separation for a few years. This problem will correct itself as newer employees come online and begin their careers with Napa County.

- F5.** Napa County should adopt a regional jail plan. The benefits of this arrangement are both financial and programmatic.

Response, Board of Supervisors: The Board of Supervisors disagrees with this finding. The issues related to regionalization are already answered in the Finding 3 response. Napa County is not able to use any part of a facility that received lease-revenue bond funding through the State of California to hold inmates that do not belong to Napa County. Similarly, other counties are faced with restrictions if they received funding for a new jail using such grants. In Solano County, Napa inmates are placed in the older section of the Solano County jail as there are restrictions on the placement of Napa inmates in the newer, more modern facility which was built using state funds. The concept of creating a regionalized facility is a very complex issue involving many factors. The most basic of these is the fact that there are no existing regionalized facilities in the state that Napa and another agency can review to determine if there is in-fact any cost savings. Current laws are not congruent with the regional approach as the sharing of inmates from other counties cannot be done in a facility which benefitted from grant funding for a period of 10 years from the time that the facility is occupied. In addition, there are laws regarding how inmates are housed. For example, only sentenced inmates can be housed in non-contiguous counties. In Napa County, the sentenced inmate population is generally under 30% of the entire population and many of those can be placed in alternatives to in-custody programs, such as home detention. If the Board were to adopt a regionalized approach and house all its inmates in Solano County, there would need to be some plan to address alternatives if Solano County did not have space to rent. For regionalization to be successful, it will be necessary to change the current laws regarding presentenced inmates. The current law requires that those inmates be housed in contiguous counties.

Again, there is no analysis that has been done that indicates a financial benefit. The current arrangement with Solano County uses a sliding scale for daily bed rates and Solano County has the ability to deny acceptance of inmates based on medical or mental health needs. Current statistics indicate 30% of the total Napa County inmate population has either mental health or medical issues. In a 2017 report conducted by the Legislative Analyst's Office, the cost of housing an inmate in California on average is \$71,000 per year or approximately \$195 per day - far more than the \$88 per day Solano County is currently charging to house Napa inmates. The lower rate is possible only because Solano County is not housing mentally ill or high-risk inmates.

- F6.** There are no data to support the perception of some County officials that the Napa County jail has less serious felons than the Solano County Jail.

Response, Board of Supervisors: The Board of Supervisors agrees in part with the finding. The County has not undertaken a study to determine whether Napa County jail has less serious felons than at Solano County jail. Nonetheless, the size

of Napa County jail is rated at 264 beds whereas Solano County has 1,444 beds. On August 10th, the Solano County data indicated that they housed 617 inmates on felony charges. On the same date, Napa had 153 inmates held on felony charges.

RECOMMENDATIONS

- R1.** The Napa County Board of Supervisors initiate talks to adopt a regional jail plan with Solano County by June 30, 2018.

Response, Board of Supervisors: The Board of Supervisors disagrees with this recommendation. Current law related to lease-revenue bonds that have already been awarded to Napa County prohibit the sharing of beds with another county in any portion of the facility that has been funded through state funding. There are no studies that would indicate any benefits to creating a regionalized facility with Solano County.

<p><i>2017-2018 Grand Jury Finding:</i> This does not comply with §933.05(b), but meets the intent of §933.05(b)(4).</p>
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- R2.** The Napa County Board of Supervisors review Correctional Officer pay, benefits, and career opportunities, particularly with respect to retirement benefits.

Response, Board of Supervisors: This recommendation has been implemented. During the recently completed labor negotiations, the correctional officers pay and benefits were enhanced and improvements were made to the correctional officer disability fund. A detentions services premium pay of 5% was also added to the correctional officer series. Retirement benefits are set forth through CalPERS and the County is not able to make changes related to retirement. The County did agree to longevity pay at predetermined milestones and increases to shift differential pay. With a new facility in the planning phase and the beginning of construction of the re-entry facility, correctional officers will have additional career prospects to work in new areas and apply for promotional opportunities in the future.

- R3.** The Napa County Department of Corrections be placed under the control of the Napa County Sheriff by June 30, 2019.

Response, Board of Supervisors: The Board of Supervisors disagrees with this recommendation. The Napa County Department of Corrections (NCDC) is one of two agencies in the state where the agency head reports directly to the Board of Supervisors. Through changes in the Penal Code, the NCDC officers have been granted enhanced authority in making arrests and carrying out law enforcement functions in a limited scope while in the performance of their

duties inside the jail. As has been mentioned numerous times in prior Grand Jury reports, there is no benefit to placing the department under the Sheriff's agency. Absent some compelling issue -which has not been identified -there is no reason to consider a change in management structure at this time. Maintaining Board control over the jail provides for enhanced accountability (since there is only one elected body responsible for both funding and jail management), makes it easier to resist potential cost increases and, because of the collaborative culture in Napa County between the Sheriff and other County officials, allows us to utilize the Sheriff's Department for those services where Sheriff's Deputies are most appropriate, such as inmate transportation, security, liaison to criminal justice agencies and internal affairs investigations.

2017-2018 Grand Jury Finding: This does not comply with §933.05(b), but meets the intent of §933.05(b)(4).

- R4.** The Board of Supervisors work with County legislative representatives to eliminate funding restrictions on State supported jail construction funds.

Response, Board of Supervisors: The Board of Supervisors disagrees with this recommendation. While providing local agencies flexibility in the use of jail construction funds is always a primary goal, the funding restrictions are set in place for transparency and for appropriate fiscal controls over lease-revenue bonds. An agency may not profit by first requesting state funding to replace much needed beds and then renting beds to another agency after successfully receiving the state funding. The policy issue for legislators is to ensure that agencies not rent beds to outside agencies after having received grants through the state based upon stated needs.

2017-2018 Grand Jury Finding: This does not comply with §933.05(b), but meets the intent of §933.05(b)(4).

- R5.** The Board of Supervisors work with relevant County and State agencies to develop a comprehensive plan for treating mentally ill inmates. This could include a regional mental health jail facility.

Response, Board of Supervisors: The Board of Supervisors partially agrees with this recommendation. It is in the best interest of all concerned to have a comprehensive plan for treating mentally ill inmates. However, the County has already received funding from the State of California to move forward with the construction of a Phase I jail that will include dedicated mental health beds and provide adequate treatment space for them. Continuing to work with its partners at the local and state level on providing the best options available for treating mentally ill inmates is always a priority.

Staff will continue to investigate these possibilities and bring recommendations forward as they become available.

2017-2018 Grand Jury Finding: This does not comply with §933.05(b); one of four responses required.

REPORT: JUVENILE HALL

FINDINGS:

- F1.** The time it has taken to fully install an updated video camera system at Juvenile Hall is unacceptable.

Response, Chief Probation Officer: The Chief Probation Officer agrees with this finding. However, it is important to note that while it has taken a very long time to complete this process, the 2014 earthquake pulled many resources in other directions. Midway through the project, an issue with storage of the video system needed to be resolved and this took additional time.

Response, Board of Supervisors: The Board of Supervisors agrees with the Chief Probation Officer.

- F2.** The Napa County Juvenile Hall staff strives to find appropriate rehabilitation options for mentally ill youths in lieu of incarceration.

Response, Chief Probation Officer: The Chief Probation Officer agrees with this finding and appreciates the Grand Jury recognizing staff efforts.

Response, Board of Supervisors: The Board of Supervisors agrees with the Chief Probation Officer.

RECOMMENDATION

- R1.** The Napa County Juvenile Hall complete the full installation of video cameras and ancillary equipment by October 1, 2017.

Response, Chief Probation Officer: The Chief Probation Officer agrees with this finding. The camera installation is complete. Staff from Communications and Information Technology Services has resolved the storage issue and the project is complete.

Response, Board of Supervisors: The Board of Supervisors agrees with the Chief Probation Officer.

<p><i>2017-2018 Grand Jury Finding:</i> This does not comply with §933.05(b)(1), but meets the intent of §933.05(b)(1).</p>
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**REPORT: NAPA VALLEY TRANSPORTATION AGENCY VISION 2040
PLAN *County Traffic Problems Need a Comprehensive Plan with Measurable Results***

FINDINGS:

- F1.** A majority of interviewees view the Vision 2040 Report’s proposed highway improvement lists, bike lanes, and new buses as insufficient to solve Napa County’s traffic congestion problems.

Response, Board of Supervisors: The Board of Supervisors neither agrees nor disagrees with this finding. The finding is an opinion. The purpose of the Vision 2040 Report is to create a road map for solving many transportation-related challenges in the County which are not limited solely to traffic congestion.

Response, NVTA Executive Director: The NVTA Executive Director neither agrees nor disagrees with this finding. The finding is stated as an opinion. That said, as previously stated in the clarifications above, the purpose of Vision 2040 is to create a "road map" for solving many transportation-related challenges in Napa which are not limited to congestion alone.

Response, NVTA Board of Directors: The NVTA Board of Directors neither agrees nor disagrees with this finding and concurs with the NVTA Executive Director's July 19, 2017, letter responding to the Grand Jury report.

<p>2017-2018 Grand Jury Finding: This does not comply with §933.05(a). Requires an “agree” or “disagree” response.</p>

- F2.** No quantifiable measurements are in place for the Board or the public to assess Napa County congestion management goals, determine results on a timeline, or evaluate the efficacy of NVTA budgets and spending.

Response, Board of Supervisors: The Board of Supervisors, as a member of NVTA, agrees that some of the Vision 2040 goals are difficult to quantify. However, there are systems in place to monitor and evaluate NVTA budgets and spending. For example, Measure T includes a monitoring plan for each jurisdiction and an Independent Taxpayer Oversight Committee that will review the fiscal and program performance of the Authority to ensure that all revenues are spent in accordance with all provisions of the Ordinance.

Response, NVTA Executive Director: The NVTA Executive Director agrees with this finding in part. The NVTA Executive Director agrees with the assertion that there are "no quantifiable measurements" in place to assess

NVTA's countywide transportation goals. While there are a number of goals and objectives included in Vision 2040, the Executive Director concurs with the Grand Jury's assessment that no measurable performance targets were established

Response, NVTA Board of Directors: The NVTA Board agrees with this finding in part. NVTA staff works with Napa Valley's jurisdictions to develop long range project and program lists that meet NVTA Board established goals in the Vision 2040 plan. Projects approved for funding by the NVTA board are selected from these lists. The NVTA board agrees that some of the Vision 2040 goals are difficult to quantify.

- F3.** The NVTA does an inadequate public relations job of educating the community of all their responsibilities, activities and progress toward achieving goals.

Response, Board of Supervisors: The Board of Supervisors agrees with this finding. As a member of NVTA, the Board of Supervisors voted to add a new full time Public Information Officer position to assist with the Authority's communication efforts. NVTA recognizes that outreach needs to be sustained and innovative communication techniques are-need to be employed to ensure that the Authority is clearly communicating clearly to the public.

Response, NVTA Executive Director: The NVTA Executive agrees with this finding in part. NVTA staff members work diligently to engage members of the public on its many plans, programs, and responsibilities. In the past two years, the agency has undergone a major rebranding exercise for both the agency and the Vine transit system. NVTA has also created a full time Public Information Officer position whose primary responsibility it is to update the website, communicate through social media, develop information materials, and organize public outreach events. The notion the public is still confused about what NVTA is responsible for is not unlike the challenges that many transportation agencies experience. We agree that more work needs to be done to educate the public and to engage them on NVTA activities and actions being considered by the NVTA board. NVTA staff will continue to evaluate innovative solutions to improve its communications with members of the public.

Response, NVTA Board of Directors: The NVTA Board of Directors agrees with this finding in part. The NVTA Board of Directors agrees with the NVTA Executive Director's July 19, 2017, letter responding to the Grand Jury report. The Board of Directors recently authorized a new full time Public Information Officer position to ramp up the agency's public communications efforts. The Board also acknowledges the recent work completed by NVTA staff in this area, but recognizes that outreach efforts need to be sustained and innovative communication techniques be employed to ensure that NVTA is clearly communicating to all members of Napa Valley's communities.

- F4.** The NVTA needs to better utilize data and travel demand software to (a) project future transportation conditions, (b) forecast the need for and the potential effectiveness of transportation projects and infrastructure improvements, and (c) identify the impacts of land use development.

Response, NVTA Executive Director: The NVTA Executive respectfully disagrees with this finding. NVTA partners with the Solano Transportation Authority (STA) to fund a consultant to design and run the traffic demand modeling software. Traffic demand models are inherently complicated and the computers that run the models are very expensive. It should be noted that land use is a critical component included in a traffic model to determine the efficacy of project alternatives, and NVTA relies on its jurisdictions to update the traffic analysis zones which includes jobs, housing, and developments used by the model to predict traffic demand. These updates are time intensive and arduous, and consequently are sometimes delayed, or not completed frequently enough to generate accurate results. Over the last year, NVTA and STA have contracted with a consultant to build a new traffic model - an activity-based model - that should greatly improve NVTA's ability to analyze specific projects. The model is currently in the validation phase. The limitation associated with the model is that it is a regional model adapted for use in Napa and Solano counties and therefore does not achieve the granularity that a project specific simulation might achieve. This type of model is not appropriate for understanding how a long range plan - if fully implemented - would succeed in improving countywide transportation operations. To accomplish that level of analysis, each project would need to include a microsimulation model which could cost upwards of \$50,000 per project and therefore it is not a feasible as part of the long-range transportation planning process.

Response, NVTA Board of Directors: The NVTA Board of *Directors* neither agrees nor disagrees with this finding. The NVTA Board of Directors believes that the discretion for determining an approach to travel demand is highly technical and defers to the expertise of NVTA staff members in coordination with consultants and Napa Valley jurisdictions transportation professionals. The Board of Directors has approved funding for various modeling activities and is supportive of the Executive Director's approach to balancing outcomes with the agency's limited resources. The Board further encourages staff to collaborate with other transportation agencies to ensure the agency is up to date on best practices in a number of areas, including travel demand modeling practices.

<p><i>2017-2018 Grand Jury Finding:</i> This does not comply with §933.05(a). Requires an “agree” or “disagree” response.</p>
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- F5.** The most salient suggested actions in V2040 were made by the Citizen Advisory Committee (CAC) and the Napa County Farm Bureau.

Response, NVTA Executive Director: The NVTA Executive Director neither agrees nor disagrees with this finding. The finding is stated as an opinion. That said, NVTA takes public and committee comments very seriously and has incorporated a number of the suggestions into the plan that were included in the referenced letters.

Response, NVTA Board of Directors: The NVTA Board of Directors neither agrees nor disagrees with this finding. The NVTA Board takes comments from NVTA committees and members of the public very seriously and works closely with staff to incorporate comments into NVTA's plans and practices.

2017-2018 Grand Jury Finding: This does not comply with §933.05(a). Requires an “agree” or “disagree” response.

- F6.** The NVTA is missing opportunities to promote Napa County as a test market for transportation technology companies investing in new research and development.

Response, NVTA Executive Director: The NVTA Executive *neither* agrees nor disagrees. There are a number of demonstration projects underway in the Bay Area. The technology companies that NVTA has reached out to did not currently have sufficient resources to implement demonstration projects in Napa. These include a number of transportation network companies who are implementing strategies elsewhere in more densely populated communities like San Francisco and San Jose. Low density environments like Napa do not offer the same opportunity for collecting the level of data that higher density counties can provide.

Response, NVTA Board of Directors: The NVTA Board of Directors neither agrees nor disagrees. The NVTA has no jurisdiction over the County's streets, roads, and highways. We encourage NVTA staff to reach out to technology groups and organizations and to identify proven technologies that can improve how transportation is deployed in Napa Valley. Individual board members are also actively researching technologies such as autonomous vehicles and supportive of partnering with organizations to bring technologies to Napa. While the Board is enthusiastic about emerging technologies, technology development falls outside the scope of the agency's responsibilities.

2017-2018 Grand Jury Finding: This does not comply with §933.05(a). Requires an “agree” or “disagree” response.

RECOM

MENDATIONS

- R1.** By November 30, 2017, the Napa County Board of Supervisors form a multidisciplinary task force that includes traffic, economic, employment, and housing experts to make recommendations for comprehensive planning, innovative solutions to traffic congestion and funding sources.

Response, Board of Supervisors: The Board of Supervisors disagrees with this recommendation. As mentioned earlier, the Board of Supervisors represents one of six jurisdictions in the joint power authority. In fact, NVTA does have already has a Technical Advisory Committee, consisting of expert representatives from each jurisdiction that makes recommendations to the Board of Directors of NVTA. The creation of a task force, even if the Board of Supervisors had the authority to create one, would be duplicative and unnecessary.

2017-2018 Grand Jury Finding: This does not comply with §933.05(b), but meets the intent of §933.05(b)(4).

- R2.** The NVTA Board set clear expectations, determinate goals, and timelines to establish quantifiable traffic congestion performance targets with measurable results and annual progress reports to the public, starting in January 2018.

Response, Board of Supervisors: The Board of Supervisors, as one member of the NVTA Board, agrees with this recommendation. As mentioned in the NVTA response, the Board of Directors has agreed to work with NVTA staff and the Technical Advisory Committee to implement this recommendation as part of the next countywide transportation plan which is scheduled for adoption in 2020.

Response, NVTA Executive Director: The NVTA Executive RESPONSE: This recommendation will be implemented. However, this type of goal setting is appropriate during the development of a long-range plan. Therefore, this recommendation will be considered during the next countywide transportation plan. Development of the plan will begin in 2018-2019, including public outreach meetings, and it is anticipated that a new countywide transportation plan will be adopted by the NVTA Board in 2020.

Response Board of Directors: This recommendation will be implemented. The Board of Directors will work with NVTA staff and its Technical Advisory Committee to re-establish goals and objectives and to identify measurable targets as part of the next countywide transportation plan, which is scheduled for adoption in 2020.

- R3.** The NVTA seek new, dependable sources of funding ideas specifically for traffic congestion improvement actions by July 2018.

Response, Board of Supervisors: The Board of Supervisors as one member of the Board of Directors of NVTA agrees with this recommendation. NVTA has implemented this recommendation and aggressively seeks new funding opportunities. NVTA will act quickly to submit grants on competitive funding programs such as those programs offered under Senate.

2017-2018 Grand Jury Finding: This does not comply with §933.05(b), but meets the intent of §933.05(b)(1).

Response, NVTA Executive Director: This recommendation has been implemented. NVTA is aggressive at seeking new funding opportunities. It works closely with its funding agencies and is quick to submit grants on competitive funding programs. Senate Bill 1, which was passed by the legislature and signed in to law by the Governor this past June, will provide almost \$1 billion annually in new competitive grant programs, and NVTA anticipates receiving significant new funding to improve its transportation infrastructure

Response, NVTA Board of Directors: This recommendation has been implemented. The NVTA Board of Directors concurs with the NVTA Executive Director's July 19, 2017, letter responding to the Grand Jury report.

- R4.** The NVTA prioritize and approve future expenditures based on quantifiable and achievable short and long-range goals, starting in July, 2018.

Response, NVTA Executive Director: This recommendation is already implemented. NVTA generally only approves *expenditures* on projects that NVTA undertakes directly. In recent years, these projects include transit-related operations and capital improvements and the Vine Trail. These projects are included in long and short-range plans. While measurable results may be applicable to certain projects or programs, other projects do not lend themselves to "quantifiable and achievable short and long-range goals". NVTA also funds or *programs* projects that are implemented by Napa Valley jurisdictions or Caltrans, which are funded through many different programs. All funding programs have separate and specific criteria that also must be considered. All transportation projects approved by the NVTA Board are included as part of the constrained project or program list identified in the Vision 2040 plan which has established short and long-range goals.

Response Board of Directors: This recommendation is *already* implemented. The NVTA Board of Directors concurs with the NVTA Executive Director's response to the Grand Jury dated July 19, 2017.

R5. The NVTA test new technologies and traffic management software starting in 2017.

Response, NVTA Executive Director: The Executive Director disagrees with and respectfully declines to implement this recommendation, as it is neither warranted nor reasonable. NVTA has introduced a number of new technologies in the transit system including fareboxes, automatic passenger counters, computer aided dispatch and automated vehicle location system, and is in the process of implementing an automated dispatch system. However, NVTA does not manage traffic and therefore testing "traffic management software" is not an appropriate use of NVTA resources.

Response Board of Directors: NVTA disagrees with and respectfully declines to implement this recommendation, as it is neither warranted nor reasonable. Using public funds to test new technologies is highly risky, and the NVTA Board has a fiduciary responsibility to ensure tax dollars are spent on their intended purpose. The NVTA Board concurs with the NVTA Executive Director's July 19, 2017, letter responding to the Grand Jury report and underscores that the NVTA does not manage traffic and therefore testing "traffic management software" is an inappropriate use of NVTA revenues.

2017-2018 Grand Jury Finding: This does not comply with §933.05(b), but meets the intent of §933.05(b)(4).

R6. By January 2018, the NVTA have a plan to promote Napa County as an ideal test market for companies investing in transportation technology and market research and development.

Response, Board of Supervisors: The Board of Supervisors as one member of NVTA disagrees with this recommendation. As mentioned by NVTA in the response provided on July 19, 2017, it is neither warranted nor reasonable for NVTA to expend its limited resources on research or the development of new technologies. The Board of Supervisors as one member of the NVTA Board does encourage NVTA staff to partner with other agencies and private sector firms, provided NVIA identifies grant resources for this purpose.

2017-2018 Grand Jury Finding: This does not comply with §933.05(b), but meets the intent of §933.05(b)(4).

Response, NVTA Executive Director: The Executive Director disagrees with and respectfully declines to implement this recommendation, as it is neither warranted nor reasonable. For the reasons mentioned in Finding 6 above, Napa County may not be an ideal test market for companies investing in transportation technology, market research and development. Moreover, NVTA does not have resources to fund commercial technology projects, which is

generally a requirement to encourage participation by the private sector to partner with government. That said, NVTa will continue to monitor closely the activities of our local partner agencies and agencies around the country to understand best practices as new technologies are introduced. We will further continue to reach out to technology companies and partner with them as grant-funded resources for such technologies becomes available. We also hope to partner with transit network companies on first and last mile transit connectivity.

2017-2018 Grand Jury Finding: This does not comply with §933.05(b), but meets the intent of §933.05(b)(4).

Response Board of Directors: NVTa disagrees with and respectfully declines to implement this recommendation, as it is neither warranted nor reasonable. NVTa does not have resources to encourage the development of new technologies. The NVTa Board of Directors encourages staff members to use its connections to *partner* with *other* agencies and private sector firms, provided that the agency identifies grant sources for this purpose in order to minimize risks to the agency's financial standing.

2017-2018 Grand Jury Finding: This does not comply with §933.05(b), but meets the intent of §933.05(b)(4).

Note: A Supermajority of the 2017-2018 Napa County Grand Jury approved this report on February 14, 2018. No Grand Jurors were recused from this report.