



**NAPA COUNTY GRAND JURY  
2019-2020**

**FINAL REPORT**

**May 25, 2020**

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

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

May 25, 2020

### I. SUMMARY

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

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

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

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

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

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

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

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

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

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

## II. METHODOLOGY

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

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

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

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

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

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

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

2. The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation; or
3. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report; or
4. The recommendation will not be implemented because it is not warranted or is not reasonable, with explanation therefor.

### **III. DISCUSSION**

#### **Timelines**

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

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

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

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

#### **City of Napa Traffic Signal Synchronization Study**

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

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

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

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

**Juvenile Hall—Mental Health Services**

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

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

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

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

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

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

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

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

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

#### **IV. FINDINGS**

F1. With two exceptions, all the responses to the 2018-2019 Napa County Grand Jury reports were completed and returned within the required timeframe:

1. The due date for the report “Napa County Water Quality—It’s a Matter of Taste,” was September 14, 2019; however, the City of Napa did not respond until September 17, 2019.
2. City of American Canyon did not respond until October 17, 2019.

F2. With two exceptions, all respondents complied with Sections 933 and 933.05 of the Penal Code:

1. Ten responses to Recommendations in the report, “St. Helena—A Small Town with Big City Problems,” by the City of St. Helena did not comply with 933 and 933.05 of the Penal Code. Please refer to requirements on Summary on Page 3.
2. The response to Recommendation 3 in the report “City of Napa Traffic Signal Synchronization Study” indicates the recommendation will be

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

## **V. REVIEW OF RESPONSES**

### **City of Napa Traffic Signal Synchronization Study**

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

<b>The 2018-2019 Napa County Grand Jury Recommendations</b>	<b>Required/Invited Respondent</b>	<b>Responses For full responses go to <a href="http://www.napacourt.com/grand-jury/reports-response%202018-2019">http://www.napacourt.com/grand-jury/reports-response%202018-2019</a></b>
R1. The Director of Public Works fill the vacant Senior Engineering Aide position at the TOC as soon as possible.	City Response	This recommendation has been implemented.



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

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

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

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

## ATTACHMENT 2

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

<b>The 2018-2019 Napa County Grand Jury Recommendations</b>	<b>Required/Invited Respondent</b>	<b>Responses</b> For full responses see <a href="http://www.napacourt.com/grand-jury/reports-response%202018-2019">http://www.napacourt.com/grand-jury/reports-response%202018-2019</a>
R1. Both the County of Napa Compliance division and the City of Napa Code Enforcement division evaluate their staffing ratios versus complaints received and cases investigated. This should be completed by December 31, 2019.	City Response	This recommendation will be implemented.
	Director Planning, Building, and Environmental Services	The recommendation will not be implemented by the County because it is not warranted.
	Board of Supervisors (BOS)	The BOS agrees with the Director.
R2. Both the County of Napa and the City of Napa complete a revision to their respective codes by June 30, 2020. These revisions should remove outdated codes which are no longer enforced as well as make it easier for residents to find answers to their most common code questions.	City Response	This recommendation will not be implemented regarding Vacation Rental Ordinance, which is current and effective.
	Director Planning, Building, and Environmental Services	The recommendation will not be implemented by the County because it is not warranted.
	Board of Supervisors (BOS)	The BOS agrees with the Director.

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

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

## Mental Health Services in the Napa County Juvenile Hall

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

<b>The 2018-2019 Napa County Grand Jury Recommendations</b>	<b>Required/Invited Respondent</b>	<b>Responses</b> For full responses go to <a href="http://www.napacourt.com/grand-jury/reports-response%202018-2019">http://www.napacourt.com/grand-jury/reports-response%202018-2019</a>
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R1: Prior to issuance of the 2020-2030 CIP, the City should engage an experienced outside actuarial firm, or assign a qualified member of City Staff, to generate a professionally appropriate Long-Range Financial Forecast, for the fiscal years beginning July 1, 2020 and thereafter.	City of St. Helena	This recommendation is rejected.
R2: The City should adopt a system that prioritizes payments for projects mandated by federal, state or local authorities to go into effect no later than the fiscal year beginning July 1, 2020. This mandate should provide that lesser projects cannot subvert any prioritized projects. Projects that are mandated by law (i.e. Upper York Creek Dam and Wastewater Plant retrofit) should be assigned to a City Council member for oversight and project management to completion. This Council member should be required to provide regular periodic status reports to all St. Helena citizens.	City of St. Helena	The City's response does not comply with Penal Code §933.05. <sup>5</sup>
R3: No later than Fiscal Year beginning July 1, 2020, the City should adhere to its Capital Improvement Plans.	City of St. Helena	The City's response does not comply with Penal Code §933.05. <sup>5</sup>
R4: For larger and more complex projects such as Bell Canyon Reservoir, Upper York Creek Dam and the Wastewater Plant retrofit, the City should consider hiring or otherwise engaging the services of an outside project manager to oversee the project, in order to lessen the burden on City Staff and assure a timely and appropriate outcome for the project completion.	City of St. Helena	The City's response does not comply with Penal Code §933.05. <sup>5</sup>

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

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

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



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

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

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

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

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

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

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

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

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

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

## ATTACHMENT 2

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

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