

2022-2023 Napa County Grand Jury

Continuity Report March 24, 2023

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

Analysis of 2021-2022 Napa County Civil Grand Jury Reports

Report - Fire on the Mountain

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

Report - Equal Justice for All

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

Report - Napa County Animal Shelter

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

Report - Napa County's Climate Action Committee

Findings	5
Recommendations	5
Recommendations implemented	1 (20%)

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

Report - Community Development Department

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

Report - Attaining our Broadband Future in Napa County

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

Report - COVID Vaccinations in Napa County

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

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

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

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

Report - Adult Probation Final Report

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

Report - Napa County Juvenile Hall

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

Report - The Napa County Airport

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

Report - Sidewalks (2019-2020) Compliance Report

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

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

Review of Responses to the 2021-2022 Grand Jury Reports

SUMMARY

California Penal Code Section 933 requires elected officials or agency heads to respond within 60 days of the issuance of a Grand Jury report that requires their response and requires governing bodies to respond within 90 days. Section 933.05 specifies the way the responding parties are to make their responses. The responses are transmitted to the presiding judge of the superior court.

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

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

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

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

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

METHODOLOGY

The 2022-2023 Grand Jury evaluated responses to the 2021-2022 Grand Jury 's recommendations to ensure compliance with Sections 933 and 933.05 using the statutory criteria.

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

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

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

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

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

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

DISCUSSION

Timelines Review of Responses 2021-2022 Publishing and Due Dates

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

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

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

Overall Report and Response Metrics

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

FINDINGS

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

REVIEW OF RESPONSES

For full reports and responses go to:

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

Napa County Animal Shelter

FINDINGS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The Director of Public Works agrees with the finding.

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

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

RECOMMENDATIONS

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

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

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

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

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

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

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

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

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

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

REQUEST FOR RESPONSES

REQUIRED RESPONSES

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

R2: Napa County Board of Supervisors

R1: Director, Napa County Public Works

INVITED RESPONSES

The following unelected local government officials are invited to respond:

Napa County Sheriff's Department, Undersheriff, Animal Services

Napa County Juvenile Hall

Good Facility, Dysfunctional Government, Unused Beds, Outdated Program

FINDINGS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RECOMMENDATIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

REQUEST FOR RESPONSES

REQUIRED RESPONSES

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

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

INVITED RESPONSES

The following individuals are invited to respond within 90 days:

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

City Of Napa
Community Development Department

FINDINGS

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

The City of Napa agrees with the Finding

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

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

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

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

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

The City of Napa agrees with this finding.

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

The City of Napa agrees with this finding.

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

The City of Napa agrees with this finding.

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

The City of Napa agrees with this finding.

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

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

RECOMMENDATIONS

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

This recommendation has already been implemented.

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

This recommendation has been implemented.

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

This recommendation has been implemented.

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

This recommendation has been implemented.

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

This recommendation has been implemented.

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

There was no response from the Board of Supervisors

REQUEST FOR RESPONSES

REQUIRED RESPONSES

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

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

INVITED RESPONSES

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The Board of Supervisors agrees with the Director.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RECOMMENDATIONS

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

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

The Board of Supervisors agrees with the Director.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

REQUEST FOR RESPONSES

REQUIRED RESPONSES

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

From the following individuals:

From the following governing bodies:

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

The City of Napa's Sidewalks: Watch Your Step

FINDINGS

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

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

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

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

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

- Pedestrian travel areas

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

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

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

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

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

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

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

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

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

RECOMMENDATIONS

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

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

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

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

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

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

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

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

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

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

REQUEST FOR RESPONSES

REQUIRED RESPONSES

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

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

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

INVITED RESPONSES

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

Homelessness: Much is Being Done – More is Required

FINDINGS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RECOMMENDATIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

REQUEST FOR RESPONSES

REQUIRED RESPONSES

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

From the following individuals:

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

INVITED RESPONSES

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

Adult Probation Department

FINDINGS

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

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

The Board of Supervisors agrees with the Chief Probation Officer.

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

The Chief Probation Officer agrees with this finding.

The Board of Supervisors agrees with the Chief Probation Officer.

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

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

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

The Board of Supervisors agrees with the Chief Probation Officer.

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

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

The Board of Supervisors agrees with the Chief Probation Officer

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

The Chief Probation Officer agrees with this finding.

The Board of Supervisors agrees with the Chief Probation Officer.

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

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

The Board of Supervisors agrees with the Chief Probation Officer.

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

The Chief Probation Officer agrees with this finding.

The Board of Supervisors agrees with the Chief Probation Officer.

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

The Chief Probation Officer agrees with this finding.

The Board of Supervisors agrees with the Chief Probation Officer.

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

The Chief Probation Officer agrees with this finding.

The Board of Supervisors agrees with the Chief Probation Officer.

RECOMMENDATIONS

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

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

The Board of Supervisors agrees with the Chief Probation Officer.

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

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

The Board of Supervisors agrees with the Chief Probation Officer.

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

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

The Board of Supervisors agrees with the Chief Probation Officer.

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

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

The Board of Supervisors agrees with the Chief Probation Officer.

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

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

COMMENDATIONS

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

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

REQUEST FOR RESPONSES

REQUIRED RESPONSES

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

From the following governing bodies:

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

INVITED RESPONSES

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

Covid Vaccinations In Napa County

FINDINGS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

COMMENDATION

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

RECOMMENDATIONS

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

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

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

R2. As part of this After-Action Review, the County should evaluate the role, staffing, and funding of PHD to determine what changes and enhancements should be made so that the division can both meet the County's ongoing public health needs and be optimally staffed to address its potential response roles in a future public health emergency. If the review determines

that staffing and funding of PHD should be enhanced, a timeline and action plan should be established to implement the enhancements.

Response of Public Health Officer/ Deputy Director, OES and Risk Manager, Acting County Executive Officer: The recommendation requires further analysis. At the current time, Public Health receives \$12 million in temporary COVID funds (federal funding), which has enabled increased limited term staffing for COVID-19 vaccination, case investigation, outbreak investigation, distribution of testing resources, allocation of treatment, and community outreach. Most of this funding will sunset in 2024, at which time, selected limited terms positions will be converted to permanent positions

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

R3. The County should revise its Emergency Response Plans so that it is better prepared should a similar public health emergency occur in the future. The plans should attempt to spell out or better provide for the significant roles that are expected to be performed by private, non-governmental entities. For example, in a pandemic response the PHD may be expected to play a largely oversight and coordination role and would not itself be staffed to perform large-volume administration of vaccines or testing of them. If that is the case, the roles of private, non-governmental entities that will do the bulk of the vaccinations and testing should be documented in the plans and, to the extent possible, in contracts or memoranda of understanding with the County. Their work should be financially supported by the County in appropriate cases. If significant roles and responsibilities are not better-documented, PHD will continue to spend a great deal of its energy during a response trying to enlist and coordinate the participation of others. If this happens, the County runs the risk that those parties will not be as able or willing to play certain key functions, including devoting and donating the needed resources, should the need arise.

Response of Public Health Officer/ Deputy Director, OES and Risk Manager, Acting County Executive Officer: The recommendation has not yet been implemented but is in progress to be completed by December 2022. There is a written COVID-19 response plan and a COVID-19 vaccination plan. The County's COVID-19 pandemic response has been based on the previous Pandemic Influenza Response plan, and the plan was revised for COVID-19 and was updated quarterly up until June 2021.

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

R4. Based on its Covid response experiences, PHD should assess what advance work can be done on identifying optional approaches and available resources to reduce its real time burden in the event of a similar future public health response.

Response of Public Health Officer/ Deputy Director, OES and Risk Manager, Acting County Executive Officer: We disagree partially with the recommendation. Predicting future resources and approaches for a "once in a lifetime" event is unrealistic, given the fact that the priorities of the COVID-19 response have evolved, along with the properties of the virus itself.

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

R5. Napa County's EOC model should be evaluated to determine how it can be better structured to manage concurrent emergencies. The EOC plan should also establish a process that requires the transition from "emergency" to "ongoing" response after a much shorter period of time than was employed for the Covid response. After the transition the focal activity (in this case Public Health) should be adequately reinforced to continue the County's response activities. This would allow (a) non-emergency County functions to more quickly return to normal and County staffers to return to their roles and responsibilities, (b) less-encumbered County emergency resources would be available should a concurrent emergency occur, and (c) the integrity of the County workforce would be maintained.

Response of Public Health Officer/ Deputy Director, OES and Risk Manager, Acting County Executive Officer: We wholly disagree with the recommendation. Contrary to the Grand Jury's conclusion, Napa County Office of Emergency Services (OES) did have a plan for running concurrent Emergency Operations Centers (EOC'S) during the COVID response and the 2020 fires. That plan was prepared and presented to the Board of Supervisors as an "Incident Within an Incident" plan at its meeting on August 11, 2020, prior to the onset of the fires. The concurrent EOC's were fully staffed and operated successfully in response to the ongoing pandemic, LNU and Glass Fires in 2020.

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

R6. The County should also provide additional PIO resources so that the County government can more effectively, accurately, and proactively communicate with its residents about critical information. The County should, at a minimum, have separate PIOs for emergency operations and the County's day-to-day functions. Additional resources should be allocated to develop public information support capacities throughout the County government, not just a single position at its center. This should include subject matter experts designated in key groups like Public Health who are trained and able to work on public information issues and assist those with PIO responsibilities. County residents deserve clear and informative communication from their government.

Response of Public Health Officer/ Deputy Director, OES and Risk Manager, Acting County Executive Officer: The recommendation has been partially implemented and is in progress. COVID was an extended activation - PIO turnover occurred during the pandemic for a number of reasons and the County moved quickly to staff this position with available resources (including departments providing support and hiring extra help staffing), but generally the plan is to have a County PIO and support within the departments. The County has developed a much larger EOC PIO structure that reflects the spirit of this recommendation. That structure is reflected in the roster and EOC PIO checklists, where additional positions are defined.

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

R7. The EOC and the County's Response Plans for public health emergencies should include more detailed PIO/communication details than presently exist. They should define and allocate the needed communication approaches and resources and identify the technical and public information skills required to fill those roles. Communication plans should spell out available communication mechanisms, stress the importance of proactive communication to residents about the risks of the public health concern, and explain the importance of the treatment or vaccination and how to readily obtain it.

Response of Public Health Officer/ Deputy Director, OES and Risk Manager, Acting County Executive Officer: The recommendation requires further analysis. *Napa County's PIO / Communication response to the COVID pandemic was robust and extensive at the local level while simultaneously grappling with poor communication and coordination from State and Federal agencies relative to the early roll out of vaccine and public health guidance, Public Health and OES is working on an AAR jointly as this response involved many staff and partners outside of HHS. Public Health is updating COVID response and vaccination plans, and the messaging will be limited to COVID-19. Overall communication will be part of the AAR. As with all emergencies, including public health emergencies, the County has a general framework for PIO/ communication; however the framework must be flexible enough to adapt to each unique emergency and set of circumstances.*

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

R8. Whenever a mass-vaccination effort is needed, the County should identify mechanisms to systematically deliver, directly or through healthcare providers, individual communication to each resident about the importance of receiving vaccination or other treatment and assistance to readily obtain them.

Response of Public Health Officer/ Deputy Director, OES and Risk Manager, Acting County Executive Officer: The recommendation requires further analysis. *This is an unrealistic aspiration, as it is impossible to guarantee that the government can systematically deliver tailored communication to every resident (and tracking the data to ensure that this has been successfully executed would be impossible). There is not one systematic way to communicate with all residents; NIXLE alerts are sent to those who sign up to receive them, newspaper articles , radio and social media posts are available to subscribers and updates. That said, the County has made robust efforts (including partnerships with healthcare systems, CBO's, data analysis performed by epidemiology team) to evaluate and address gaps in communication systematically and maximize the reach of the vaccination campaign messaging.*

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

R9. The County should consider whether procuring a mobile clinic vehicle (or similar capability), along with sufficient staff to operate it, would assist PHD in their off-site vaccination efforts or other responsibilities.

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

COVID-19 funding which will provide additional funding until 2024. These funds are being used to purchase a mobile vaccination van, which has been approved with FY 2022- 2023 budget, and we are awaiting approval from the CDC to purchase the mobile van.

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

REQUEST FOR RESPONSES

REQUIRED RESPONSES

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

- Napa County Board of Supervisors (R1, R2, R3, R4, R5, R6, R7, R8, R9)
- Napa County Chief Executive Officer (R1, R2, R3, R4, R5, R6, R7, R8, R9)
- Napa County Public Health Officer (R1, R2, R3, R4, R5, R6, R7, R8, R9)
- Napa County Emergency Services Officer (R1, R2, R3, R4, R5, R7)

Attaining Our Broadband Future In Napa County

FINDINGS

F1. Recent fires and the pandemic have demonstrated that all County residents need access to fast, reliable, and affordable broadband.

Napa County: the acting CEO agrees with the findings

BOS: the Board of Supervisors agrees with the acting CEO

F2. The digital divide in the County (and the challenges and inequities it exacerbates), has not been significantly narrowed since the 2017 fires; in fact, it may have widened.

Napa County: the Acting CEO agrees partially with this finding. *While we have some public tools available like the CPUC Service Map, to assess service levels and needs, there is no mechanism for local government to be able to determine whether the digital divide has narrowed or widened since the 2017 fires, especially because of the public tools that are available based on reporting from private service providers. Current law gives virtually all authority to the State and federal governments to regulate service providers. And because service providers do not disclose current or future infrastructure plans, there is no manner to determine how service levels have changed since the 2017 fires.*

BOS: the Board of Supervisors agrees with the acting CEO.

F3. While most County leaders interviewed expressed support for fast and reliable broadband for all County residents, analogous to a utility, few articulated any substantive perspective on how to achieve this goal or what steps have been taken to do so. 15

Napa County: the Acting CEO disagrees with this finding. *Not until SB 156 was passed last year has there been any substantial paths or funding for local governments like Napa County to expand broadband. Before 2021, there were very limited options for local government to expand service. With SB 156, for the first time, local governments will be able to compete with service providers to receive infrastructure funds to deploy funds. As such, while SB 156 regulations/guidance were being deployed – most of which is still not out – Napa County has been working diligently on developing plans to achieve our broadband goals. While some county leaders have more exposure to Broadband policy than others, it doesn't mean that the Board hasn't received updates regularly, multiple times annually since 2014.*

BOS: the Board of Supervisors agrees with the Acting CEO.

F4. In the past year, the broadband funding landscape has changed dramatically with Federal and State governments set to distribute billions of dollars through competitive grants to local governments and private providers.

Napa County: the Acting CEO agrees with this finding.

BOS: the Board of Supervisors agrees with the Acting CEO.

F5. The competition for broadband grants from other public entities and Internet Service Providers (ISPs), whose interests may not complement Napa County, is sure to be fierce.

Napa County: the Acting CEO agrees with this finding.

BOS: the Board of Supervisors agrees with the Acting CEO.

F6. Winning broadband grants will require the County to be prepared to compete. This will take extensive planning, adequate staffing, and coordination with County's cities and towns and other stakeholders.

Napa County: the acting CEO agrees partially with this finding. *Napa County's greatest needs in both broadband access and resiliency are in more rural, unincorporated areas. While partnerships with municipalities and other agencies, such as schools and state agency first responders are crucial to overall success, our focus has been on efforts that remain within the County and within our jurisdiction, which does not compel carriers to develop or partner on projects, regardless of potential financial incentive to offset build out costs. The above said, "extensive planning, adequate staffing" is required for projects funded through grants to be successful. The County's two consultants, Magellan and CBG, have created both planning and development documents that will continue to be valuable reference points, even as we expand to include dedicated staffing to these efforts in early FY 22-23.*

BOS: the Board of Supervisors agrees with the Acting CEO.

F7. The County's leadership has not devoted sufficient time and resources to broadband strategic planning. Leadership is insufficiently aware of the decisions regarding strategic and tactical options and choices that they will need to soon make and has not demonstrated adequate urgency considering how soon the funding process will begin. Waiting for that process to be fully defined before taking action will leave the County even further behind at the starting gate.

Napa County: the Acting CEO disagrees wholly with this finding. *The Napa County Broadband team reports to the County's leadership on a regular basis. This includes updates to the CEO's Office and to the Board of Supervisors (BOS) through BOS meetings.*

The Broadband team also provided the County's comments on the California Public Utilities Commission's (CPUC) draft guidelines and rulings, which included comments that would benefit the County more.

The Broadband team has also been in communications with other non-elected leadership, such as a potential broadband opportunity involving Public Works and a vendor for broadband coverage in unserved/underserved areas. Napa County has not been waiting for processes and guidelines to be developed to prepare ourselves to be competitive. In fact, as an example, the development of the Action Plan and Roadmap during this last year has positioned us to be able to apply for the first grant, Local Agency Technical Assistance (LATA), made available on July 1, 2022, within weeks of its release.

BOS: the Board of Supervisors agrees with the Acting CEO

F8. Despite recommendations urging it to do so as early as 2018, the County has not developed a broadband strategic plan that sets forth its vision and includes priorities, defines the choices that will need to be made, and provides for personnel and a governance structure.

Napa County: the Acting CEO agrees partially with this finding. *The County has been a member of North Bay North Coast Broadband Consortium (NBNCBC) since 2014, participating in both regional and local meetings with carriers, developers and other interested parties to expand broadband access to all areas. While a strategic plan can help guide agencies, limited funding and existing partnerships with overarching goals, as detailed in quarterly and annual CPUC reports, made this less of a priority. A focus on better understanding the needs of our community through field testing, which continued to expand after 2017, 2019 and 2020 fires plus the Covid pandemic, laid the groundwork for our County to know what should be included in a strategic plan. Additionally, our County signed a Memorandum of Understanding (MOU) with Rural County Representatives of California (RCRC) in summer of 2021 that was meant to support counties in developing a strategic plan. Instead of waiting for the grant award, we began working on the Action plan and Roadmap. RCRC's grant application is still under review. Had we not worked on the Action Plan and Roadmap, we would not be positioned to apply for the LATA grant so early in the process. The County will be pursuing an independent strategic plan, which we anticipate the new Broadband Project Manager (BPM), when hired, to begin working on it later in 2022.*

BOS: the Board of Supervisors agrees with the Acting CEO.

F9. The County has not taken steps, as recommended by its consultants, to establish a lead County agency or department to review local policies affecting broadband across various County jurisdictions to ensure they are consistent, sensible, and broadband-friendly.

Napa County: the Acting CEO disagrees wholly with this finding. *Even though there isn't an official lead agency, the CEO office has been the oversight/lead on support for and management of increased time and effort for broadband access since 2014; multiple staff members in the CEO office have spent many hours collaborating with consortia counties, service providers, local and regional stakeholders, and assessing the overall areas within the county as its needs have continued to change, and is now hiring a dedicated BPM to manage this very important item. The County has obtained outside expertise/consultants over the last few years to facilitate a roadmap*

and action plan of needed service and to participate in ongoing consortiums and other agencies that are spearheading the broadband agenda for this region. This has and will benefit a full-time dedicated BPM that will step into this role with much of the legwork and background assessments identified.

BOS: the Board of Supervisors agrees with the Acting CEO.

F10. The County has only allocated part-time staff resources (for whom broadband is only one of many important roles), to work on broadband issues, whereas other similarly situated counties appear better prepared, staffed, and are much further along in their planning processes.

Napa County: the Acting CEO agrees partially with this finding. *While we agree that the County has only allocated part-time staff resources it is important to note that as work increased through the years, additional staff resources were assigned. Since 2014 the Broadband team has grown from one to five members. Acknowledging that work is only going to continue to increase, the Board approved a full time BPM to lead these efforts. We must disagree with the assertion that other counties are better prepared and much further along in their planning process. Despite not having a full-time staff person (because it wasn't warranted until now Napa County is prepared to compete. As stated in an earlier finding, the first application for a grant connected to SB 156 became available on July 1 - the CPUC's LATA Grant. The Broadband team with consultants were able to complete the application within weeks, in large part because of the Action Plan and Roadmap that was developed this past year.*

BOS: the Board of Supervisors agrees with the Acting CEO.

F11. Unlike neighboring counties, the County, its cities and towns, and other stakeholders have only recently started communicating with each other regarding their broadband needs. They do not seem prepared to coordinate strategies, development, the pursuit of grant funding, or project implementation.

Napa County: the Acting CEO disagrees with this finding. *The County began engaging with local municipalities and stakeholders in 2019 during the development of the Napa County Infrastructure Engineering Assessment and the Network Opportunity Analysis Report, which jump-started the planning for the current Action Plan and Roadmap. We anticipate more engagement and collaboration now that grants are becoming available, and the Middle Mile network is being designed.*

BOS: the Board of Supervisors agrees with the Acting CEO.

F12. The NCBP [Napa County Broadband Partnership] does not have a clearly articulated purpose or agenda that is understood by its participants and does not yet appear to be an effective stakeholder group.

Napa County: the Acting CEO agrees partially with this finding. While the partnership group has not met since November 2021, there were no action items or progress by the CPUC and State to warrant another meeting. Instead, we followed up with partners through a survey in early 2022. As with our municipal partners, we anticipate more frequent engagement and collaboration with our partners now that grants are becoming available.

BOS: the Board of Supervisors agrees with the Acting CEO

F13. While the County’s involvement with the RCRC, NBNCBC, and GSCA is positive, the speed with which the County is moving seems to be stuck in an out-of-date paradigm, when State and Federal funds were largely unavailable, and local agencies did not play a significant role in efforts to extend fast and reliable broadband availability.

Napa County: the Acting CEO disagrees wholly with this finding. While it may have appeared in the past that the speed with which the County was moving was slow, this was primarily due to the CPUC initially showing that the County had 97.3% broadband coverage (CPUC's goal is 98%). With \$30K - \$35K funding provided by the CPUC starting in 2017, the County Broadband team engaged in ground truthing efforts and resident/business surveys on actual broadband coverage. With these results the team refuted claims by the internet service provider of sufficient broadband coverage in nine areas, and provided this data to the CPUC. At this time, the County has added more members to the Broadband team and joined a broadband consortium with neighboring counties, Marin, Sonoma and Mendocino. The speed of broadband work steadily increased after this point.

BOS: the Board of Supervisors agrees with the Acting CEO.

F14. There are no established ongoing forums for County residents, businesses, governmental units, schools, medical and emergency response, and others to identify and communicate with County leadership about their broadband needs, except about one-off access or service complaints.

Napa County: the Acting CEO agrees partially with this finding. NBNCBC's quarterly oversight meetings are an opportunity for the public, businesses or service providers to bring forward concerns, discuss opportunities and better understand the broadband landscape in all member counties. While there are no active stakeholder groups, opportunities for those potential agencies have been significantly limited with virtually no funding to create or facilitate any projects. We anticipate that a more active and engaged community will begin in the fall of 2022 with the addition of a dedicated Napa County position and the first rounds of development funding being released for project development.

BOS: the Board of Supervisors agrees with the Acting CEO.

F15. The County has no priorities or queue of broadband projects that are “shovel-ready” for implementation, nor any resources available to identify such projects or supervise their implementation if they are funded.

Napa County: the Acting CEO agrees partially with this finding. Through the Broadband

team's work with CBG, the County recently completed a Broadband Roadmap that identifies potential projects in 13 areas throughout the County. These projects are not "shovel ready" because more work, and funding, is needed in scoping the construction and identifying partners to help scope that work, which includes environmental impact reviews, engineering design and construction cost estimates. The process to have "shovel ready" projects could not have occurred earlier since analysis and studies were required to be completed first. Importantly, preparing shovel ready projects before the State Middle Mile Network locations are identified could have resulted in wasted resources and efforts. Most, if not all, projects in our roadmap are Last Mile, which must be connected to the Middle Mile. We simply couldn't spend time on the former without the latter. It was not until April 2022 that the State Middle Mile Network locations were identified.

BOS: the Board of Supervisors agrees with the Acting CEO.

F16. Without proper preparedness to compete for broadband grant funding (including a coherent strategic plan, adequate staffing, resources, and County-wide stakeholder coordination) the County may not be as successful at acquiring funds as it should be, and efforts may remain ad hoc and passive.

Napa County: the Acting CEO agrees with this finding and maintains that the County is prepared.

BOS: the Board of Supervisors agrees with the Acting CEO.

RECOMMENDATIONS

R1. The Board of Supervisors and County Executive should, no later than October 1, 2022, prepare and execute a plan to better educate themselves about broadband issues and the choices that must be made.

Napa County: The recommendation requires further analysis. Broadband policy is highly complex and is constantly changing. To put an arbitrary date on when to educate the BOS and County Executive wouldn't make sense. While there is one member of the BOS appointed to be more involved with Broadband, other members receive regular updates, as needed. We anticipate now that activity is increasing, more regular updates will be given to the entire Board. Finally, in the newly created Broadband Project Manager responsibilities, education and updates to the public, BOS, and CEO is included.

BOS: the Board of Supervisors agrees with the Acting CEO.

R2. The County should develop and publish a Strategic Plan no later than December 1, 2022, that is not simply a list of possible projects proposed by contractors or private providers, but instead includes, at a minimum, (a) a County vision for broadband that addresses issues like reliability and affordability, (b) the specific broadband access and performance enhancement goals it expects to achieve, (c) the County's priorities (so that, if needed, choices can be made), (d) how the County plans to accomplish those goals, and (e) the County staffing and governance

structure to implement and oversee the plan.

Napa County: The recommendation has not yet been implemented. *Napa County agrees that with additional funding and development opportunities, the benefit for a strategic plan is important. However, with the first rounds of funding only being released in July (LATA), no Middle Mile projects set to begin in our area imminently and other Last Mile funding unavailable as of yet, a December completion is not paramount. Our roadmap, developed in partnership with CBG, NBNBCB support and the focus that a dedicated position will bring, sets the groundwork for a speedy development.*

A realistic timeline will begin in 2022, after we hire the BPM, and BOS approved by the end of Q1 2023.

BOS: the Board of Supervisors agrees with the Acting CEO

R3. The County should, no later than October 1, 2022, designate a lead agency or department, staff it with knowledgeable full-time resources, including a broadband project manager, and provide an adequate budget to help the County define its vision and priorities, understand grant authorities' policies and application procedures, coordinate with stakeholders, and prepare to compete for State and Federal funding in a well-organized, non-ad hoc fashion.

Napa County: This recommendation has not yet been implemented. *As a note, the County Executive Office has been the lead agency since 2014 and will continue in this role going forward. A recruitment for a dedicated BPM is under way and should be in place by the end of calendar year 2022. Coordination with stakeholders started at the end of 2021 but will continue on a regular basis going forward. Finally, the Broadband team, working with CBG, is prepared to compete with State and federal funding, the first of which is the application of a LATA grant.*

BOS: the Board of Supervisors agrees with the Acting CEO

R4. The County should, no later than December 1, 2022, create an effective and active stakeholder task force with a written purpose, scope, and timeline understood and agreed to by its members. The task force should (a) actively assist the County in developing a vision and strategic plan that addresses the needs of residents, local agencies, and commercial entities, and (b) help coordinate local partnerships to compete for, acquire, and implement grant funding.

Napa County: This recommendation has not yet been implemented. *We believe that an active stakeholder group will help create the vision for our strategic plan and allow for robust grant applications and development opportunities in our County. The timeline for implementation and input by these groups will depend on several factors including our LATA grant application, Middle Mile projects, carrier interest and additional grant opportunities. Because of this, we cannot commit to a December 1 date. However, we believe a better approach is to develop stakeholder engagement strategies through the strategic planning process.*

BOS: the Board of Supervisors agrees with the Acting CEO

R5. The County should, no later than December 1, 2022, establish and actively foster ongoing

forums for County residents, businesses, government, schools, and medical and emergency response entities to provide input and communicate with County leadership about their ongoing broadband access and telecommunication needs.

Napa County: The recommendation has not yet been implemented. Plans and discussions have started on how to better foster and engage with the public, including having a web presence. The Acting CEO agrees with the December 1, 2022 timeline.

BOS: the Board of Supervisors agrees with the Acting CEO.

Fire On The Mountain The Closure Of Old Howell Mountain Road: The Effect On Angwin Residents

FINDINGS

F1. Many Angwin residents interviewed stated they did not recall having received notice prior to the Napa County Board of Supervisors 'yes vote in favor of keeping Old Howell Mountain Road closed. The Grand Jury is aware that under the Brown Act, no more than 72 hours notice of any agenda item is required. But despite repeated efforts, the Grand Jury was unable to confirm that even so minimal a notice occurred. Moreover, given the level of local concern about Old Howell Mountain Road, more prominent notice and even the opportunity for a public hearing would have been appropriate. Had this happened, years of concern and confusion could have been avoided.

Response from the Acting County Executive Officer: disagrees with this finding. The item was discussed at two Board of Supervisors meetings. November 17, 2020 and December 8, 2020. Both agendas were posted on Thursday before the Tuesday meeting.

The Board of Supervisors agrees with the Acting County Executive Officer.

F2. These residents believe that they did not receive an explanation of why Old Howell Mountain Road was not repaired and they were not adequately represented in the decision making process.

The Acting County Executive Officer disagrees with this finding. Again, two public meetings were held to discuss the closure in addition to a number of meetings held in Angwin where there was an opportunity to discuss the status of Old Howell Mountain Road. Also see response to Finding 1 above.

The Board of Supervisors agrees with the Acting County Executive Officer.

F3. The residents of Angwin have been impacted multiple times by evacuations due to wildfires and want to have as many evacuation routes as possible, in order to avoid a tragedy like the Paradise, California scenario.

The Acting County Executive agrees with this finding.

The Board of Supervisors agrees with the Acting County Executive Officer.

F4. The Napa County Board of Supervisors caused unnecessary mistrust in their local government by not sufficiently communicating with Angwin area residents regarding the closure of Old Howell Mountain Road.

The Acting County Executive Officer disagrees with this finding. Multiple meetings were held regarding the closure of Old Howell Mountain Road. Also see response to Finding 1 above.

The Board of Supervisors agrees with the Acting County Executive Officer.

F5. Multiple agencies, including, Napa County Office of Emergency Services, Napa County Public Works, CalFire, Napa County Fire Department, and local construction companies have deemed the road unrepairable, due to a nearly three mile long section of unstable ground and other hazards; however, the Napa County Office of Emergency Services and the Napa County Board of Supervisors did not effectively communicate to the public their reasons for their decisions not to repair the road.

The Acting County Executive Officer disagrees with this finding. Multiple meetings were held and the reasons for not doing the repair were discussed . The Grand Jury did not interview the Risk Manager/ Emergency Services Officer.

The Board of Supervisors agrees with the Acting County Executive Officer.

RECOMMENDATIONS

R1. The Napa County Office of Emergency Services should hold a public forum with Angwin residents and explain the reasons for the closure of Old Howell Mountain Road. Other relevant agencies should be invited to attend.

Acting County Executive Officer response: The recommendation has been implemented.

Board of Supervisors response: the Board of Supervisors agrees with the response of the Acting County Executive Office.

R2. During this forum,, the Napa County Office of Emergency Services should explain feasibility and potential cost of repairing the road.

Acting County Executive Response: The Acting County Executive Office disagrees with this recommendation. The Office of Emergency Services is not the correct department to explain feasibility and potential cost of road repairs. The Director of Public Works did explain the cost and feasibility during the December 8 , 2020 public meeting at the Board of Supervisors as well as in other forums with residents.

The Board of Supervisors Response: the Board of Supervisors agrees with the Acting County Executive Office response.

R3. The forum should provide residents an opportunity to have their questions answered and to express their opinions about the decision to close Old Howell Mountain Road. This forum should take place before September 1, 2022.

The Acting County Executive Office Response: The Acting County Executive Office disagrees with the recommendation. The Board of Supervisors has held a number of public meetings regarding the closure. In general, Supervisors will continue to hold fire preparedness discussions throughout each of their Districts where the public is welcome to attend and ask questions.

REQUEST FOR RESPONSES

REQUIRED RESPONSES

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

From the following individuals:

- Napa County CEO, for Napa County Office of Emergency Services (F1 - F4) (R1 - R3)

INVITED RESPONSES

- Angwin Volunteer Fire Department Fire Chief (F1- F4) (R1 - R3)
- President, Angwin Community Council (F1 - F4) (R1 - R3)
- Napa County Board of Supervisors (F1 - F5)

The Napa County Airport Under The Radar: The Saga To Bring Napa's Airport Into The 21st Century

FINDINGS

F1. The existing Airport terminal and fixed base operations need renovation and updating to be more efficient, generate more revenue, attract more aviation, and present a better visual representation of the County.

Napa County: The Acting County Executive Officer agrees with this finding.

BOS: the Board of Supervisors agrees with the Acting County Executive Officer.

F2. The Airport operates as a County enterprise fund; its non-property tax revenues can only be used for the benefit of the Airport according to FAA grant assurances.

Napa County: The Acting County Executive Officer agrees with this finding.

BOS: the Board of Supervisors agrees with the Acting County Executive Officer.

F3. The Airport has a yearly operational deficit that can be addressed or reduced through increased lease revenue and fees and fuel taxes, which are unlikely to occur without terminal and fixed base operation renovation and updating.

Napa County: The Acting County Executive Officer disagrees with this finding. Airport does not operate at a deficit but does operate within a thin margin that would benefit from objectives to increase revenues to help implement needed capital improvement and maintenance projects at the Airport.

BOS: the Board of Supervisors agrees with the Acting County Executive Officer.

F4. In order to renovate and update the Airport terminal and fixed base operations, the County needs to (a) acquire a second FBO long-term leasehold *and/or* (b) negotiate a new consolidated lease with the existing FBO.

Napa County: The Acting County Executive Officer partially disagrees with this finding. Long-term leases with one or more FBOs is a commonly accepted way to achieve renovations and updates at an Airport. However, the County must conduct negotiations in compliance with FAA grant assurances related to exclusive rights, land banking, and economic non-discrimination. These FAA grant assurances limit the County's ability to simply negotiate a new consolidated lease with the existing FBO.

BOS: the Board of Supervisors agrees with the Acting County Executive Officer

F5. It is unknown whether the Airport can sustain two FBOs.

Napa County: The Acting County Executive Officer disagrees in part with this finding. All indications are, due to fuel sales and other factors commonly used in the industry that contribute toward sustainability, two FBOs are possible at the Airport.

BOS: the Board of Supervisors agrees with the Acting County Executive Officer.

F6. The County is obligated to adhere to its FAA grant assurances in its dealing with any FBO, including ensuring any leasehold does not violate provisions governing economic non-discrimination, exclusive rights and land banking.

Napa County: The Acting County Executive Officer agrees with this finding.

BOS: the Board of Supervisors agrees with the Acting County Executive Officer.

F7. Outside of the 2007 Airport Master Plan (which assumptions have been proven by time to be significantly inaccurate), there is not a current vision for the Airport that is endorsed by the Board, which addresses issues like the use of facilities, attraction of commercial entities, relationship to broader transportation planning or public engagement.

Napa County: The Acting County Executive Officer disagrees with this finding. The assumptions made in the 2007 Airport Master Plan are not inaccurate but have changed over time particularly related to assumptions regarding developable land. The Board has endorsed a vision for the Airport that includes: supporting two FBOs, upgrading facilities, supporting general aviation and the use of the airport by small aircraft, managing the airport to be financially self-sustaining, and not providing for commercial air service.

BOS: the Board of Supervisors agrees with the Acting County Executive Officer.

F8. The Board and Senior County Officials have often disagreed as to how best to renovate and upgrade the terminal and fixed based operations, including when to renegotiate with the Incumbent FBO, whether to acquire a second FBO, and the interpretation of its obligations under FAA grant assurances.

Napa County: The Acting County Executive Officer disagrees with this finding. The Board has been unanimous on all public decisions regarding the Airport and its operations.

BOS: the Board of Supervisors agrees with the Acting County Executive Officer.

F9. The County failed to keep Airport PMCDs current; failure to update them for approximately four decades caused delays in releasing the RFP.

Napa County: The Acting County Executive Officer agrees with this finding.

BOS: the Board of Supervisors agrees with the Acting County Executive Officer.

F10. After the County decided to use an RFP process to acquire a second FBO, it did not adequately think through the timeline and elements required (e.g., update PMCDs, complete an environmental assessment, etc.), leading to unrealistic timelines and expectations.

Napa County: The Acting County Executive Officer disagrees with this finding. Timelines within the RFP were reasonable but were prolonged due to COVID-19, related economic uncertainty, and negotiation factors.

BOS: the Board of Supervisors agrees with the Acting County Executive Officer.

F11. Failure to coalesce behind a two FBO strategy by all Board members and Senior County officials once the RFP strategy was adopted, led to FBOs (prospective and the Incumbent FBO) aggressively pursuing a sole FBO strategy in their proposals and discussions with the County, elongating and muddling the process.

Napa County: The Acting County Executive Officer disagrees with the finding. FBOs prefer a monopoly for obvious reasons – equates to a higher profit margin. The existing FBO and a RFP respondent FBO both proposed sole FBO services; however the Board has been unanimous on all public decisions regarding the Airport and supporting two FBOs.

BOS: The Board of Supervisors agrees with the Acting County Executive Officer.

F12. While the County provided updates regarding the RFP process to the Commission, its members felt the County was not transparent (i.e., overusing confidentiality for real estate negotiations concerns as an excuse) and did not adequately consult them; as a result many of its members questioned the purpose of the Commission.

Napa County: The Acting County Executive Officer partially disagrees with the finding. The Commission is an advisory body to the Board of Supervisors. It is not in the County's best interest to negotiate publicly for an FBO. Under FAA regulations, the contract term is 30 years. Given the amount of investment and term-length it is in the best interest of all parties to have confidential negotiations. The Board shared information in public as soon as it was in the best interest of all concerned.

BOS: The Board of Supervisors agrees with the Acting County Executive Officer.

F13. The County should have managed expectations better and been more transparent by having a communications plan which included more formal stakeholder check-ins, data sharing, repeated reminders of strategic goals, robust process status updates, and proactive public outreach.

Napa County: The Acting County Executive Officer disagrees with this finding. Given the amount of investment and term-length it is in the best interest of all parties to have confidential negotiations. The Board shared information in public as soon as it was in the best interest of all concerned.

BOS: The Board of Supervisors agrees with the Acting County Executive Officer.

F14. Allegations from multiple interviewees with first-hand knowledge that closed Board sessions were misused/overused are credible.

Napa County: The Acting County Executive Officer disagrees with this finding. No evidence is provided to support this claim.

BOS: The Board of Supervisors agrees with the Acting County Executive Officer.

F15. Allegations from multiple interviewees with first-hand knowledge that confidential information was leaked by non-County staff from closed Board sessions to entities and individuals who were not authorized to receive that information, including FBO entities involved in negotiations with the County, are credible.

Napa County: The Acting County Executive Officer disagrees with this finding. While the County has no evidence to support this claim, there is sufficient anecdotal evidence to support the appearance and concerns about such potential impropriety. The County will provide training to those participating in closed sessions as to their responsibilities regarding confidentiality.

BOS: The Board of Supervisors agrees with the Acting County Executive Officer.

F16. Overuse of closed sessions, leaks and a failure of the Board and senior County officials to act in a unified manner, complicated and undercut the RFP process, undermined staff, complicated negotiations, and elongated the process.

Napa County: The Acting County Executive Officer disagrees with this finding. Similar to Finding 15 above, the County has no evidence to support this claim. The County will provide training to those involved regarding this situation.

BOS: The Board of Supervisors agrees with the Acting County Executive Officer.

RECOMMENDATIONS

R1. By January 1, 2023 the Board should articulate and publish a clear written vision for the Airport which provides for the modernization of the Airport, accommodates Napa County's residents, tourism, and business needs, integrates with other transportation planning, and articulates a meaningful role for the Commission, while also remaining true to the character and values of Napa County.

BOS: Board of Supervisors Response: The recommendation has been implemented. The Board has articulated a clear vision which includes two FBOs, improved facilities, and maintaining the Airport as a valuable general aviation asset that ensures independent financial stability.

R2. In order to ensure the County is more transparent in the future, the Board and County Executive should complete a review by January 1, 2023, of the process to acquire a second FBO to determine how it could have been more transparent and managed expectations better and present its findings and recommendations during a public Board meeting.

BOS: Board of Supervisors Response: The recommendation will not be implemented because it is not warranted and is not reasonable. Awarding an FBO contract occurs every 30 years and is unique. It is not a good investment in taxpayer money to spend time on this review.

Napa County: Acting County Executive Officer's Response: The Acting County Executive Officer agrees with the Board.

R3. By October 1, 2022, the Board should undertake a review of its use of, and the procedures associated with, closed sessions, to ensure that they are in accord with statutory requirements and further the interests of open government; its findings and recommendations should be presented in a public Board meeting.

BOS: Board of Supervisors Response: The recommendation will not be implemented. The Board has and will continue to conduct closed sessions in accordance with statutory requirements.

R4. By October 1, 2022, the Board should undertake a review of its procedures to ensure that information that should remain confidential during closed sessions is not inappropriately communicated to non-authorized entities and individuals; its findings and recommendations should be presented in a public Board meeting.

BOS: Board of Supervisors Response: The recommendation will not be implemented. The Board has and will continue to keep confidential closed session discussions.

R5. For fiscal year 2023, the Napa County Auditor-Controller should consider internal reviews/audits of (a) the Airport FBO RFP process, (b) the controls and processes governing the use of closed Board sessions, and (c) the controls and processes used to safeguard the confidentiality of information associated with County RFP processes and contractual negotiations.

R5(a) Napa County: Will be implemented within 12 months of publication

R5(b): Napa County: Will not be implemented

R5(c): Napa County: Will not be implemented.

REQUEST FOR RESPONSES

REQUIRED RESPONSES

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

- Napa County Board of Supervisors (R1, R2, R3, R4)
- Napa County Chief Executive Officer (R2)
- Napa County Auditor-Controller (R5)

Office Of The Public Defender Equal Justice For All?

FINDINGS

F1. A guilty plea can have serious consequences for any misdemeanor defendant, including an increase in potential penalties on future charges.

The District Attorney agrees with this finding.

The Public Defender agrees wholly with this finding.

The Board of Supervisors agrees with the Public Defender.

F2. A guilty plea by a non-citizen misdemeanor defendant can have additional serious consequences, including immediate deportation on the charges, or deportation on future charges.

The District Attorney agrees in part. A guilty plea by a non - United States citizen misdemeanor defendant can have additional serious consequences including deportation or removal on the charges and / or deportation or removal on future charges. I know of no procedure, policy or set of circumstances that would result in an immediate departure.

The Public Defender agrees wholly with this finding.

The Board of Supervisors agrees with the Public Defender.

F3. There are likely cases where unrepresented misdemeanor defendants pleaded guilty without full comprehension of the potential consequences on their immigration status or future penalty increases.

The District Attorney agrees with this finding.

The Public Defender agrees wholly with this finding.

The Board of Supervisors agrees with the Public Defender.

F4. Where a Public Defender is appointed, the potential for a defendant to make a fully informed response to a proffer, i.e., a proposed resolution, is much greater.

The District Attorney agrees with this finding.

The Public Defender agrees wholly with this finding.

The Board of Supervisors agrees with the Public Defender.

F5. Avoiding the unintended consequences described above would be enhanced if there was a Public Defender in the courtroom at every arraignment.

The District Attorney agrees in part. I would agree that if pleas are going to be taken by the court at arraignment, the presence of a Public Defender would increase the likelihood that criminal defendants understand the consequences of their plea.

The Public Defender agrees wholly with this finding.

The Board of Supervisors agrees with the Public Defender.

F6. Funding of an additional attorney in the Office of the Public Defender would enable the office to provide a Public Defender at virtually all misdemeanor arraignments.

The District Attorney can not agree or disagree with the finding as the office has no independent knowledge of the budgetary and / or staffing issues faced by the Public Defenders' Office.

The Public Defender agrees partially with this finding. The Court currently hears misdemeanor out-of-custody arraignments at 8:30 am in three separate Courtrooms.

F7. Given present resources and staffing, the Public Defender's office provides consistently high-quality representation to defendants in the cases in which it is appointed.

The District Attorney agrees with this finding.

The Public Defender agrees wholly with this finding.

The Board of Supervisors agrees with the Public Defender.

RECOMMENDATIONS

R1. This Grand Jury recommends that the Board of Supervisors consider funding the Office of the Public Defender to support an additional attorney with the priority of attending misdemeanor arraignments not otherwise covered, and handling other work as needed.

The District Attorney agrees in part. This issue is easily remedied by asking the court not to take pleas of unrepresented misdemeanor defendants. If the court is amenable to a collaborative approach to these important issues and the Public Defender is in need of extra staffing, I would join in the recommendation.

Response, Public Defender: this recommendation requires further analysis.

The Board of Supervisors agrees with the Public Defender that the recommendation requires further analysis.

REQUEST FOR RESPONSES

REQUIRED RESPONSES

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

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

- The Napa County Board of Supervisors: F1, F2, F3, F4, F5, F6 and F7. R1.
- The Public Defender: F1, F2, F3, F4, F5, F6 and F7. R1.
- The District Attorney: F1, F2, F3, F4, F5, F6 and F7. R1.