



COUNTY of NAPA

BOARD OF SUPERVISORS

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July 22, 2008

The Honorable Raymond Guadagni
Presiding Judge
Superior Court of California, County of Napa
825 Brown Street
Napa, CA 94559

FILED

JUL 30 2008

Clerk of the Napa Superior Court
By: C. Ben
Deputy

Dear Judge Guadagni:

As required by Penal Code Section 933(c), enclosed is the response to the following 2007-08 Grand Jury Final Reports:

- Napa County Emergency Communications
- Napa County Office of Emergency Services
- Napa County Jail Department of Corrections
- Napa County Roads
- Napa County Juvenile Hall

Responses to findings and recommendations affecting local government entities other than the County are not included in the Board's response when those entities are not under the jurisdiction of the County Board of Supervisors.

Grand Jury activity takes place over the course of a number of months. As such, their findings and recommendations often address issues which county departments have already identified as problems and to which solutions are in the process of being developed. We note that a number of the Grand Jury's recommendations have been implemented or are in the process of being implemented at this time.

The Board acknowledges the members of the 2007-08 Grand Jury for the time they have devoted in preparing their report.

Received
Napa Superior Court

JUL 22 2008

Court Executive Office

Sincerely,

Brad Wagenknecht, Chair
Napa County Board of Supervisors

Enclosure

cc: Foreman, 2007-08 Grand Jury

BRAD WAGENKNECHT
DISTRICT 1

MARK LUCE
DISTRICT 2

DIANE DILLON
DISTRICT 3

BILL DODD
DISTRICT 4

HAROLD MOSKOWITE
DISTRICT 5

**NAPA COUNTY
RESPONSE TO THE NAPA COUNTY GRAND JURY
FINAL REPORT ON NAPA COUNTY ROADS**

Recommendation No.1: The Board of Supervisors place on the ballot at the next scheduled election or at any subsequent election which takes place prior to the end of the year 2008, a ballot measure calling for a dedicated sales tax for the express and sole purpose of providing street and road maintenance and related street and road improvements in the County of Napa and its local municipalities.

Response, Board of Supervisors: The recommendation has been implemented. On April 30, 2008 the Napa Valley Transportation Authority (NVTA) initiated the conceptual framework for a transportation sales tax ballot measure. On June 17, 2008, the Board of Supervisors adopted a resolution approving the proposed Napa Valley Transportation Authority Transportation Improvement Expenditure Plan which will provide revenue for local transportation related projects through adoption of a tax ordinance which will impose a one-half of one percent transaction and use tax for a period of thirty years. On July 16th the NVTA Board will request that the Board of Supervisors call the election. Upon receipt of the request, the Board of Supervisors will exercise its ministerial duty to call the required election. An election cannot occur sooner than 88 days following the call of the election. The election will be called for November of 2008 providing the request is received on or before Thursday, July 31, 2008. Otherwise the election will be called for June of 2010. Staff is preparing a recommendation for the Board's consideration at its meeting on July 22. The measure will then be submitted to the voters for approval in November 2008 and includes funding for local streets and roads maintenance programs as well as high congestion relief programs. Both programs are multijurisdictional and allocate funds accordingly with all five municipalities and the County approving the plan.

Recommendation No. 2: The County of Napa join with other jurisdictions to seek action by the State of Legislature to index the gasoline tax to an inflation factor.

Response, Napa County Board of Supervisors: While there is clearly little disagreement regarding the need for additional maintenance funds and the Board of Supervisors will continue to discuss and analyze options that warrant support, the timeframe to accomplish this is ongoing and cannot be limited to a six month point in time, nor any specific time, as required for these responses. Therefore, our response must be that the recommendation will not be implemented because it is not reasonable. It is recognized that normal funding sources for roads such as gasoline tax, proposition funds, vehicle registration fees, and other sources are no longer adequate to maintain our deteriorating road network. A different funding source is necessary to bring our roads back to an acceptable condition and changes in legislation is one option the Board of Supervisors is considering. The County along with other jurisdictions has discussed supporting an effort to change gasoline taxes from a fixed tax per gallon to a percentage of gasoline taxes as the cost of gasoline and diesel increases. Indexing the gasoline tax to an inflation factor is being discussed by staff and elected officials from various agencies and the Board of Supervisors will carefully consider support of any organized effort by cities and counties for a modification to the gasoline tax by the State.

Recommendation No. 3: An employee of Public Works be FEMA trained, assigned to the task of recordkeeping in emergency situations, and responsible for the completion of requests for reimbursement of emergency repairs.

Response, Director of Public Works: The recommendation has not been implemented but will be implemented in the future. The Public Works Department is in the process of scheduling training for staff to update our knowledge of Federal Emergency Management Agency (FEMA) and the State Office of Emergency Services (OES) requirements for documentation of emergency repairs during declared disaster events. Training is planned for several staff members to ensure Public Works will have the expertise and knowledge to handle a large volume of damage sites and locations that are possible in Napa County as was experienced in 2005 and 2006. Dates for the training are still being determined but three members of the Public Works Department will receive the first tier of training by the end of the 2008/2009 fiscal year. FEMA and OES Training will become a regular part of the Department's training priorities to ensure that several Public Works staff members are current with the latest guidelines and directives for managing, contracting, and documenting disaster related repairs to public facilities. Particular attention and efforts will be directed toward the contracting procedures required by FEMA and OES to ensure County procedures are consistent with State and Federal guidelines and requirements.

The Public Works Department has up-to-date State and Federal manuals and guidelines for contracting, documenting, and submitting reimbursement requests for disaster damage claims. Training specific to these written materials will help staff interpret and better understand the requirements to protect the County's interests ensuring funding is recovered for infrastructure damage. Having multiple staff members with the knowledge and training will ensure staff availability during disaster events.

Recommendation No. 4: Formal standards be adopted and implemented for road repairs of potholes and after-construction cuts and a qualified person be hired to inspect and approve these repairs.

Response, Director of Public Works: The first part of the recommendation has not been implemented but will be implemented in the future. The Public Works Department is in the process of developing formalized standards for pothole and construction cut repairs. Staff is reviewing standards from other counties and cities and is developing standards specific to the needs of Napa County to be incorporated into the County's Roads and Streets Standards. These standards with updates to the County's Road and Street Standards will be presented to the Board of Supervisors for consideration by end of 2008 or early 2009.

The second part of the recommendation has already been implemented with the Department having qualified staff both in the Roads Division and Engineering Division to competently inspect and repair County roadways. There are currently no vacant budgeted positions in the County Roads or Engineering Design Divisions and inspections to road repairs are currently performed by the Road Maintenance Coordinator and the Construction Inspector. The County is currently fully staffed in these areas and has hired two extra help construction inspectors to assist with the capital improvement workload which includes improvements to roads. The County will continue to monitor workload and construction inspection needs for County roadway improvements and encroachment permits. Appropriate resources will be assigned to ensure

safety and quality workmanship are part of County maintenance activities and improvements performed by other agencies, utilities, and private parties.

Recommendation No. 5: The County Public Works Safety Manual be brought up to date with current safety regulations.

Response, Director of Public Works: The recommendation has not been implemented but will be implemented in the future. The Public Works Department currently does not have a Safety Manual specific to the Department but relies on a County-wide Illness & Injury Prevention Program. We recognize the benefit for having a Safety Manual with more specific relevance to the Public Works Department and have begun to assemble the existing safety materials used in the Department for tailgate safety meetings including, traffic control safety, construction safety, working in the inclement weather, vehicle and equipment operation, and other materials used regularly to train Roads staff. These materials will be updated and assembled into a Safety Manual specific to the Public Works Department within the next six months. Other agencies have been contacted to obtain examples to ensure our manual is organized appropriately and is complete.