



**NAPA COUNTY GRAND JURY  
2014-2015**

**OCTOBER 7, 2014**

**FINAL REPORT**

**REVIEW OF RESPONSES TO THE  
2013-2014 GRAND JURY REPORTS**

# INDEX

I.	Intro	
	duction	3
II.	Review of Responses to the Napa County Juvenile Hall Annual Review	.6
III.	Review of the Responses to the Napa County Transportation & Planning Agency	7
IV.	Review of the Responses of Public Employee Retirement Benefits for each Napa County Jurisdiction ...	.14
V.	Review of the Responses to the Veterans Service and Outreach: County Veterans Service Office .....	.18
VI.	Review of Responses to Forming Partners with the Community Through Youth Sports	.21
VII.	Review of Responses to the Napa County Jail Annual Review	.....1 27

# **REVIEW OF RESPONSES TO THE 2013-2014 GRAND JURY REPORTS**

## **I. INTRODUCTION**

### **A. SUMMARY**

The 2013-2014 Grand Jury issued its Consolidated Final Report on May 16, 2014. The Consolidated Final Report consisted of seven individual Final Reports, which included a Review of Responses to the 2012-2013 Grand Jury Reports. The 2013-2014 Grand Jury made Recommendations in all of its Final Reports except the Review of Responses.

Pursuant to California Penal Code Section 933, elected officials are required to respond within sixty days of a Grand Jury Report and government agencies are required to respond within ninety days. Their Responses must be addressed to the Presiding Judge of the Napa County Superior Court.

During its present term, the 2014-2015 Grand Jury reviewed all the Responses provided by government agencies to the six Reports requested by the 2013-2014 Grand Jury. The 2014-2015 Grand Jury finds that all agencies with the exception of the NVUSD filed timely Responses to the Recommendations of the 2013-2014 Grand Jury. The NVUSD submitted its Response on August 22, 2014.

### **B. BACKGROUND**

State law requires that at least one agency or official submit a written Response to the Presiding Judge for every Recommendation in a Grand Jury Report. The current Grand Jury must assure that each Response was submitted within the statutory time frame and is

otherwise compliant with the requirements of California Penal Code Section 933.

In situations regarding taking oral testimony, such testimony must be in front of a minimum of two Grand Jurors to be validated. Every Recommendation in a Report must be supported by at least one Finding. By adhering to these principles, the objectivity and accuracy of the Report is assured.

Recommendations from Grand Juries often suggest shortcomings or call for changes, and they provide an opportunity for governmental agencies to review their policies and procedures.

### **C. METHODOLOGY**

The 2014-2015 Grand Jury evaluated Responses to the 2013-2014 Grand Jury's Findings and Recommendations to ensure compliance with the Penal Code Section 933. The following criteria were considered:

1. Was the Response timely received by the Presiding Judge, which is within ninety days for a public agency, and within sixty days for an elected official?
2. If a Respondent stated that a Recommendation had been implemented, did the Respondent provide a summary of the implemented action?
3. If a Respondent stated that a Recommendation was to be implemented, did the Respondent provide a summary of the proposed implementing action, and also the time frame for completing the implementing action?
4. If a Respondent stated that a Recommendation required further analysis or study, did the Respondent provide an explanation of the scope and parameters of the proposed analysis or study, and also provide a time frame for completion of the proposed analysis or study?
5. If a Respondent stated that a Recommendation was not to be implemented on the grounds that it was not warranted or

unreasonable, did the Respondent include a reasoned explanation supporting its position?

The 2013-2014 Grand Jury issued forty-seven Recommendations to the affected government agencies listed below.

- Napa County Juvenile Hall Director
- Napa County Transportation & Planning Agency
- American Canyon, Napa, Yountville, St. Helena and Calistoga City Councils
- Napa County Board of Supervisors
- Napa Valley Unified School District (NVUSD)

#### **D. OBSERVATION**

A breakdown of the action taken by these agencies is provided.

1. Napa County Juvenile Hall Annual Review  
2 - Recommendations  
    Will be implemented - 1  
    Not Implemented - 1
  
2. Napa County Transportation & Planning Agency ó 16 Recommendations  
    Implemented - 5  
    Will be Implemented - 7  
    Further Study Required - 1  
    Not Implemented - 3
  
3. A Review of Public Employee Retirement Benefits for each County Jurisdiction ó 2 Recommendations  
    Not Implemented - 2
  
4. Veterans Service and Outreach ó 5 Recommendations  
    Implemented - 0  
    Will be Implemented - 4

Further Study Required - 1

5. Forming Partners with the Community Through Youth Sports - 17 Recommendations

Implemented - 2

Will be Implemented -10

Further Study Required - 2

Not Implemented - 3

6. Napa County Jail Annual Review ó 2 Recommendations  
Not Implemented - 2

The foregoing report was duly approved by the 2014-2015 Grand Jury at regular session on October 7, 2014.

Ross Workman, Foreperson  
2014-2015 Napa County Grand Jury

## **II. REVIEW OF RESPONSES TO THE 2013 - 2014 GRAND JURY REPORT ON THE NAPA COUNTY JUVENILE HALL**

### **A. DISCUSSION**

On February 19, 2014 the Napa County Grand Jury submitted its Final Report on the Napa County Juvenile Hall (NCJH) Annual Review. The Grand Jury had requested a Response from the Napa County Juvenile Hall Director, but the responsibility of the Juvenile Hall is with the Chief Probation Officer, who provided Responses.

F1. NCJH counselors and supervisors do not wear uniforms of monogrammed clothing that makes them readily identifiable as staff.

R1. The Grand Jury recommends that by the end of FY 2014-2015, all on duty NCJH employees should wear clothing that clearly identifies them as staff.

**Response:** The Recommendation will not be implemented because it is not reasonable. Budget constraints preclude the County from making such a proposal. This would be a meet and confer issue with the union if the County determined uniforms were appropriate.

R2. The Grand Jury recommends that by the end of FY 2014-2015 video equipment should be updated to current state-of-the-art standards, and cameras added to the system to ensure that there are no blind spots within the facility or along the perimeter of the yard.

**Response:** The Recommendation will be implemented. Staff has been working with Public Works to upgrade the video system. Cameras will be replaced by the end of FY 2014-2015. Cameras will be installed to cover blind spots within the facility and along the perimeter of the yard within next year.

### **III. THE NAPA COUNTY TRANSPORTATION & PLANNING AGENCY (NCTPA) WITH THE SUBTITLE VINE: MANAGEMENT & RIDERSHIP FOR THE FUTURE**

#### **A. DISCUSSION**

On March 18, 2014, the 2013-2014 Napa County Grand Jury issued its Final Report on the Review of Responses to the 2013-2014 Report on the Napa County Transportation & Planning Agency (NCTPA) with the subtitle VINE: Management & Ridership for the Future.

The Napa County Transportation & Planning Board of Directors represent the incorporated cities of American Canyon, Calistoga, Napa, St. Helena, Yountville and Napa County. The Grand Jury

initiated an investigation because of low VINE ridership, notwithstanding an investment of \$12.5 million by the Board of Directors for a new Transit Center, new buses, and increased operational costs to support the new buses, routes and schedules.

The funds are a combination of federal and state grants, local jurisdiction fare payments, and Transportation Development Act funds that are generated by a 0.25% sales tax that is controlled by the Metropolitan Transportation Commission.

The Grand Jury's investigation strived to determine what might be done to ensure that Napa County's transit ridership warrants the significant investment and to engage the incorporated cities in maximizing VINE transit services.

The following Recommendations were addressed to the Napa County Transportation & Planning Agency. Responses follow:

R1. The Grand Jury recommends that the Board of Directors adopt and follow a capital budget that anticipates maintenance and equipment acquisitions, projects out costs and funding mechanisms and monitors implementation with a consistent progress reporting method. If the Recommendation is not implemented in the current fiscal year, then it should be implemented in FY 2014-2015.

**Response:** This Recommendation has been implemented. Each year as part of the annual budgeting process, the Board approves the capital expenditures for the year. The capital budget is developed from the Short Range Transit Plan, a 10-year plan that also identifies capital needs. The costs to operate and maintain each capital purchase items is included in the 5 year operating budget projections that are provided to the Board quarterly, and in the 10 year budget projections included in the Short Range Transit Plan.



R2. The Grand Jury recommends that the Board of Directors evaluate at least annually, with careful prior analysis by staff, any needed major acquisitions such as buses, maintenance yards and fueling stations. The goal is to achieve the efficient integration of transit operations.

**Response:** This Recommendation has been implemented. As previously stated under our response in Recommendation 1 above, the Board reviews needed major acquisitions as part of the Short Range Plans and as the project is implemented, the capital needs and financing costs will be included in successive budgeting exercises.

R3. The Grand Jury recommends the Board of Directors explore ways to improve Napa County Transportation & Planning Agency management retention such as merit pay or other incentives and put in place for the coming fiscal year.

**Response:** This Recommendation requires further analysis. The Napa County Transportation & Planning Agency Board appreciates the Grand Jury's suggestion and will take it under advisement. It should be noted, however, that the agency has been [in] existence since 1998 and has only had four executive directors in its 16-year history.

R4. The Grand Jury recommends planning out the use of the \$10 million reserve fund to meet Transit's existing needs over the next 10 years. This includes capital expenses and marketing costs by the beginning of the next fiscal year.

**Response:** The Recommendation has been implemented. The agency has planned out its capital and operating needs over the next 10 years and it is included in the Short Range Transit Plan. The Short Range Transit Plan is updated every 4 to 5 years; however, every two years Napa County Transportation Agency produces a "mini" Short Range Transit Plan that includes updates to its capital and operating programs as mandated by the Metropolitan Transportation Commission.

R5. Napa County should consistently utilize the Napa County Short Range Transit Plan FY 2013-2022 (June 2013) for guidance in the sustainable operation of the Napa Transit System with timely progress reports to the Board of Directors put in place by June 2014.

**Response:** The Recommendation has been implemented. The Short Range Transit Plan is referred to frequently in both setting the groundwork for operations and for the annual development of the operating and capital budget. In conjunction with the budget process, Napa County Transit & Planning Agency staff develops, and the Board adopts, an overall work plan which establishes the number of staff hours required to complete various tasks and projects over the course of the year.

The Board receives quarterly updates on the budget, quarterly updates on transit operations and performance (and more frequently as needed), and semi-annually overall plan updates.

R6. Napa County should develop financial, qualitative and quantitative reporting metrics that will identify problems in standards of system performance so operation corrections can be made through adaptive management actions, with appropriate metrics in place by the end of the current fiscal year.

**Response:** This Recommendation has been implemented. Service Policies and performance metrics are adopted by the Board and are summarized in Napa County Transportation & Planning's Short Range Transit Plans. The most recent Service Policies were adopted in March 2013. The Board also received five-year financial projections quarterly.

R7. Napa County Transportation & Planning Agency should install at a minimum, temporary signage as soon as possible for the new Transit Center that can be seen from Soscol Avenue and install a complete and consistent branding and marketing signage system for the center, buses and bus shelters within 90 days of this report.

**Response:** This Recommendation will not be implemented because it is not warranted and is not reasonable. As previously discussed, the building signage was part of the original SGTC contract but other building signs produced by the subcontractor were substandard. Consequently, Napa County Transportation & Planning Agency cancelled the contract and solicited a sign contractor elsewhere.

Napa County Transportation & Planning Agency is currently evaluating three quotes. Each of the quotes is deficient in some way and we are unable to proceed until the issues are resolved. Temporary signage would require that we work with the city planning staff on alternate signage design, and release another RFP, which would create unnecessary delay, inefficiencies and costs.

R8. Napa County Transportation & Planning Agency should implement within the current fiscal year a coordinated VINE marketing strategy with each Napa County jurisdiction so that Napa County Transportation and Planning's transit services are readily available and consistently communicated across all public, community and visitor websites.

**Response:** This Recommendation will be implemented within 90 days. Napa County Transportation & Planning will work with the jurisdictions and site and request that information about the VINE and its ancillary services are consistently communicated. It should be noted that Napa County Transportation & Planning Agency has no authority to demand that Napa's jurisdictions or its visitor sites comply with this request.

R9. The Grand Jury recommends Napa County Transportation & Planning Agency contract with an agency with transit expertise to develop and implement appropriate marketing efforts to targeted ridership populations and major employers that will drive awareness of all VINE services and improve ridership within the current and for the future fiscal year.

**Response:** This Recommendation will not be implemented because it is not warranted and is not reasonable. Most transit operators spend approximately 1% of its budget on marketing. The Napa County Transportation & Planning Board allocates roughly 2% of the VINE budget on marketing. The Napa County Transportation & Planning Agency Board is pleased with the marketing effort and acknowledges that professional support could enhance the marketing materials but is concerned that an advertising professional would consume a significant share of the agency's annual budget for marketing.

R10. Napa County Transportation & Planning Agency should explore, adopt and apply sustainability design tools such as Transit-Oriented Development to determine ideal alterations to transit services within the 2014 calendar year.

**Response:** This Recommendation will not be implemented because it is not warranted and is not reasonable. Napa County Transportation & Planning Agency personnel take courses and attend conferences regularly to learn about new trends and technologies in transit. Professionals in the field of transit in rural and suburban areas are often consulted in order to ensure that Napa County Transportation & Planning Agency transit services are utilizing the most up to date technologies and employing state of the art practices.

Transit-Oriented Development's are neighborhoods that are designed by cities and towns. There are times that a transit partner may participate if development occurs on a property owned by that transit operator but transit operators rarely initiate such developments.

The following Recommendation was addressed to the incorporated cities of American Canyon, Calistoga, Napa, St. Helena, and Yountville. Responses follow:

R11. Napa County Transportation & Planning Agency should implement within the current fiscal year a coordinated VINE marketing strategy with each Napa County jurisdiction so that Napa

County Transportation & Planning Agency's transit services are readily available and consistently communicated across all public, community and visitor websites.

**Response from the City of American Canyon:** The City of American Canyon supports this Recommendation and stands ready to work with Napa County Transportation & Planning Agency to bolster our current marketing efforts to encourage ridership. We are currently working on a website update and will work with Napa County Transportation & Planning Agency staff to ensure our website provides consistent and clear information about the VINE. The City of American Canyon also routinely conducts community outreach on a variety of topics and will include marketing information about the VINE in the coming months.

**Response from the City of Calistoga:** The Calistoga City Council will direct staff to work with the Napa County Transportation & Planning Agency and other jurisdictions as they develop further marketing strategies so that all Napa County Transportation & Planning Agency's transit services are readily available and consistently communicated across all potential users. This will include placing information on the City's website once the information is developed.

**Response from the City of Napa:** This Recommendation will be implemented by the City of Napa by using its existing website to provide a permanent link to an appropriate website or webpage that provides user information on VINE Services. A permanent link will be created by the end of Fiscal Year June 30, 2014. In addition, the City will regularly post on its website topical and timely information provided by the Napa County Transportation & Planning about VINE services that is pertinent to City of Napa residents and businesses.

These postings will begin July 1, 2014 and continue indefinitely. The selection of items to be posted, the frequency and duration of the posting and the editing of those items will be at the sole discretion of

the City of Napa. The City will provide this outreach assistance at no charge to Napa County Transportation & Planning Agency.

**Response from the City of St. Helena:** The City of St. Helena supports this Recommendation and will coordinate efforts with Napa County Transportation & Planning Agency to improve and increase our current marketing efforts to encourage ridership. We plan to start implementation of the following efforts within thirty days: City staff will communicate with Napa County Transportation & Planning Agency staff to integrate an appropriate link on the City website [www.ci.st-helena.ca.us](http://www.ci.st-helena.ca.us) as provided by Napa County Transportation & Planning Agency. City staff will further evaluate other means of reaching out to the community with such information being included in the water bill, e-news broadcast and posting at public facilities.

**Response from the City of Yountville:** This Recommendation can be implemented within sixty (60) days. Town staff will communicate with Napa County Transportation & Planning Agency staff to integrate an appropriate link on the Town website [www.townofyountville.com](http://www.townofyountville.com) as provided by Napa County Transportation & Planning Agency. Town staff will further evaluate the ability to add a narrative content page on our site about local transportation alternatives.

## **IV. REVIEW OF THE RESPONSES TO THE 2013-2014 GRAND JURY REPORT ON PUBLIC EMPLOYEE RETIREMENT BENEFITS FOR EACH NAPA COUNTY JURISDICTION**

### **A. DISCUSSION**

The 2013-2014 Grand Jury issued its Final Report entitled A Review of Public Employee Retirement Benefits for Each County Jurisdiction on April 3, 2014. The topic under investigation was the status of the

county's retirement benefit funding levels. The purpose was to provide clarity of the public pension and other post-employment benefits (OPEB) funding liabilities in the county's jurisdictions.

Seven Findings were presented by the Grand Jury. They indicate that no jurisdiction is facing imminent fiscal crisis due to pension fund liabilities but some jurisdictions are in better shape than others. The Grand Jury also found that all jurisdictions had introduced employee sharing of pension costs, although some only applied to future employees, and that most jurisdictions are trying to achieve full funding of their OPEB liability before 2014, which follows the 30-year amortization rate recommended by the Government Finance Officers Association in March 2013.

Two Recommendations were made by the 2013-2014 Grand Jury to the County Board of Supervisors as well as the cities of American Canyon, Calistoga, Napa, St. Helena and Yountville.

R1. Napa County Board of Supervisors and the incorporated Napa Jurisdictions form a pension/OPEB committee with appropriate financial and human resource management to establish a communication process and a planning best practices platform to share insights and collaborate on strategies for addressing and managing pension/OPEB funding.

**Response from the Napa County Board of Supervisors:** The Recommendation will not be implemented because it is impractical with regard to pension and OPEB funding do to the unique obligations and circumstances of each agency. While the Board acknowledges the benefits of collaborating with other public agencies in the County, varying budget circumstances, employee bargaining groups, and other factors make the development of common strategies difficult if not impossible.

**Response from American Canyon:** The City of American Canyon wholeheartedly agrees that the more information we share with our

peers about best practices and issues related to pension and OPEB funding, the more insight we can gain and the better we can plan for the future. However, we believe the sharing of information is already well developed and forming a committee locally would be duplicative of other statewide and regional efforts already in place.

**Response from Calistoga:** Each jurisdiction has vastly different circumstances and different options available for managing pension and OPEB funding. What may be a best fit for one agency will not necessarily be the best fit for another. For example, Calistoga has ten retirees in total, while City of Napa has hundreds. That being said, there could be some value in meeting together to discuss pension funding and managing the pension and OPEB liabilities, but the best options for each agency may be very different.

**Response from Napa:** This Recommendation will not be implemented because it is not warranted. Each jurisdiction has vastly different circumstances and different options available for managing pension and OPEB funding. What may be a solution for one agency will not necessarily be the best fit for another. However, we believe that there is still value in meeting together to discuss pension-funding strategies and managing the pension and OPEB liabilities.

**Response from St. Helena:** Each jurisdiction in Napa County independently has labor unions with existing contracts, which carry an obligation to fulfill. Our fiscal situations are different as well, and it would not be possible for all jurisdictions in the county to be consistent in the provision of retirement and OPEB benefits.

In addition, St. Helena is unique in the fact that it doesn't provide OPEB. However, the City of St. Helena agrees that the collaboration to share best practices and pension information between Napa County Board of Supervisors and the incorporated Napa jurisdictions could potentially be beneficial not only to the jurisdictions but to the public perception as well.



**Response from Yountville:** Our fiscal situations are different, as are our labor contracts, and it would not be possible for all jurisdictions in the County to be consistent in the provision retirement and OPEB benefits.

The Town of Yountville wholeheartedly agrees that the more information we share with our peers about best practices and issues related to pension and OPEB funding, the more insight we gain and the better we can plan for the future.

R2. Napa County Board of Supervisors and the incorporated Napa jurisdictions through the pension/OPEB committee, issue an Annual Report that summarizes each entity's pension/OPEB funding status at the end of each fiscal year.

**Response from the Napa County Board of Supervisors:** The Recommendation will not be implemented. Each year the County receives an actuarial report from CalPERS summarizing its funding status. In addition, the County's consultant prepares regular projections, which assist staff in making recommendations regarding the funding of both pension and OPEB during the budget process. Finally, the Auditor-Controller prepares and issues the Comprehensive Annual Financial Report (CAFR) in December of each year for the prior fiscal year. The report includes the funding status of both pension and OPEB.

**Response from American Canyon:** Every year, each jurisdiction is required to contract with independent auditors and complete a thorough audit of the agency's financial position. A major component of this audit is an analysis of pension and OPEB liabilities and details of review can be found in each jurisdiction's annual audit report. This audit is updated and available to the public annually.

**Response from Calistoga:** All agencies are issued an actuarial report from CalPERS on an annual basis, and are required to have an actuarial valuation performed on the OPEB liability every 2-3 years, depending on the agency size. All of these reports are public

information. Also, the comprehensive annual financial report (CAFR) is prepared by the city auditor each year. This is presented at public meetings and posted on our web site.

**Response from Napa:** This Recommendation will not be implemented because it is not warranted. All agencies are issued and actuarial report from CalPERS on an annual basis, and are required to have an actuarial valuation performed on the OPEB liability every 2-3 years, depending on the agency size. All of these reports are public information and most are available on each agency's web site.

**Response from St. Helena:** The City of St. Helena contracts with an independent auditor to perform an annual financial report in which an analysis of pension and OPEB liabilities are included. CalPERS issue an actuarial report on an annual basis, which is factored in the Annual Audit Report. These documents are available to the public.

**Response from Yountville:** Every year, each jurisdiction is required to contract with independent auditors a complete a thorough audit of the agency's financial position. A major component of this audit is an analysis of pension and OPEB liabilities. Details of the review are in each jurisdiction's annual audit report.

The Town of Yountville's most recent audit, which is available on the Town's website, includes several pages of information about our funding status. The audit is made available to the public annually.

## **V. REVIEW OF RESPONSES TO THE 2013-2014 VETERANS SERVICE AND OUTREACH: COUNTY VETERANS SERVICE OFFICE**

### **A. DISCUSSION**

On April 22, 2014, the 2013-2014 Napa County Grand Jury issued its Final Report on the Veterans Service and Outreach.

The Napa County Veterans Service Office (CVSO) serves approximately 11,400 veterans with respect to filing claims for benefits with the U.S. Department of Veterans Affairs (VA). However, it takes too long for veterans seeking benefits to obtain assistance and the outreach by the CVSO in recent years has been marginal at best due to inadequate staffing.

The following Recommendations were addressed to the Napa County Board of Supervisors. Responses follow:

R1. The CVSO should set a goal of scheduling a meeting with a veteran within a two-week period.

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

R2. The Napa CVSO should develop an outreach program that ensures that veterans in Napa County are fully aware of its services, including that it will make home visits.

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

R3. The Napa CVSO should report annually, in writing, to the Board of Supervisors on the effectiveness of its outreach programs,

including not just what it has done but what in its assessment should be done.

**Response:** The Recommendation has not yet been implemented, but will be implemented in the future. The VSO will: Track outreach activities and claims activity starting with Fiscal Year 2014-2015; assess effectiveness and seek opportunities to increase outreach; and report these findings to the Board of Supervisors annually beginning in November 2015. This will be tied to coincide with Veteran's Day.

R4. Napa County should implement changes to its website that facilitate the finding of veteran services on its website.

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

R5. The Napa CVSO should make available a Veteran Identification Card for Napa County Veterans to enable veterans to receive additional benefits from Napa County businesses with special benefits to veterans.

**Response:** The Recommendation has not yet been implemented, but will be implemented in the future. Equipment to make Veteran Identification Cards has been ordered and received, and staff is currently designing the identification card. Staff is also communicating with the local Chamber of Commerce to identify the most effective way to encourage businesses to offer veteran benefits and communicate the availability of these benefits to patrons with a Veteran ID Card or other military identification.

Staff expects to start advertising the availability of these cards no later than September 2014, with a soft roll out starting in July for veterans who are already at our office for other services.

## **B. COMMENT**

Notwithstanding understaffing of the CVSO at the time of the Report, that entity had a high grant rate of 98% and achieved record benefit results in fiscal year 2012-2013. It is foreseeable that proper staffing and outreach will result in benefits for a larger number of veterans. Responses from the Napa County Board of Supervisors to the Report are encouraging with respect to veterans.

## **VI. REVIEW OF THE RESPONSES TO THE 2013-2014 REPORT ON FORMING PARTNERS WITH THE COMMUNITY THROUGH YOUTH SPORTS - “PUTTING KIDS FIRST”**

### **A. DISCUSSION**

On April 22, 2014, the 2013-2014 Grand Jury issued its Final Report entitled Forming Partners With the Community Through Youth Sports ó Putting Kids First.ö The topic under investigation in the Report focused on management and operation of the Joint Field Use Agreement between Napa Valley Unified School District (NVUSD) and the Non-profit Youth Sports Organizations (NYSO) in the City of Napa.

A majority of the Findings and Recommendations in the Report deal mainly with NVUSD. However, the City of Napa's Parks and Recreation Department's role in the funding for field maintenance was also examined. Several members of the City staff were interviewed.

The following Recommendations were addressed to the Napa City Council. Responses follow:

R1: That the Superintendent of the NVUSD and the City of Napa Parks and Recreation Department re-establish within the next six months a new Joint Use Agreement for Maintenance of School Sports Fields for School and Community.

**Response:** The City stated that this Recommendation has not yet been implemented, but will be implemented within the statutory six months time frame. The City of Napa Parks and Recreation Department and the NVUSD have met and initiated discussions regarding the development of a new Joint Use Agreement for Field Maintenance.

R14: That the City of Napa and the NVUSD continue to collaborate in the development of more playing fields on city-owned land for community use such as Kennedy Park.

**Response:** The City of Napa stated that this Recommendation has not yet been implemented, but will be in the near future with the development of a Master Plan at Kennedy Park. The City stated that they are in the process of contracting with a firm that will develop a Master Plan within the next seven months.

R17: That the Parks and Recreation Department resume the responsibility for collecting field use fees from the NVUSD as it did prior to 2007.

**Response:** This Recommendation will not be implemented because it is unwarranted. The NVUSD currently schedules the use of the

fields directly with the NYSO, and accordingly should collect fees associated with the scheduled use. The fees are intended to be used for field maintenance activities by the NVUSD, so there would be no merit from the City collecting fees associated with a schedule developed by the NVUSD and subsequently forwarding fees to the NVUSD.

The City of Napa stated there were no financial impacts from Recommendations R 1, R 14 and R 17.

The following Recommendations were addressed by the NVUSD. Responses follow:

R1: That the Superintendent of NVUSD and the City of Napa Parks and Recreation Department re-establish within six months a new Joint Use Agreement for Maintenance of School Sports Fields for Community Use.

**Response:** NVUSD agrees to implement this Recommendation within the statutory time frame of six months. Representatives from NVUSD and the City of Napa have met to discuss the details of a new Joint Use Agreement.

R2: That the Director of Maintenance and Construction develop a more consistent maintenance program to ensure the playing fields at all schools are maintained in a safe, playable condition.

**Response:** NVUSD agrees to implement this Recommendation. NVUSD has put in place a scheduled maintenance program that distributes the workload equitably between all elementary, middle and high schools.

R3: That the Assistant Superintendent of Business Services develops written procedures for the enrollment of all non-profit youth sports leagues to ensure consistent tracking of applications, payments, billing and usage.

**Response:** NVUSD agrees to implement this Recommendation by January 2015 with a new written procedure document that can be used for the identification of all non-profit user groups.

R4: That the Assistant Superintendent of Business Services prepare quarterly financial reports for the Youth Sports Council Meetings detailing current revenues and expenses in the Napa Youth Sports League account.

NVUSD agrees to implement this Recommendation. NVUSD will make these reports available for public view by the 15<sup>th</sup> day following each fiscal quarter.

R5: That the Director of General Services and Facilities implement within the next six months, a computerized system for the reservation of playing fields.

**Response:** NVUSD agrees to implement this Recommendation within the time frame through the use of the current "School Dude Facilities Direct" software program for field and facilities reservations.

R6: That the Director of General Services and Facilities adopt a lottery or similar system to assign playing fields that would replace the current "historic" system.

**Response:** NVUSD will not implement this Recommendation because the School District is hesitant to support a lottery system where groups will be denied access based on a random selection process.

R7: That the Assistant Superintendent of Business Services immediately allow the use of credit cards for the payment of field use fees to ensure more efficient tracking of funds and team payments.

**Response:** NVUSD says that this Recommendation requires further analysis and study. Currently, funds deposited for field use are sent



directly to the County Treasurer where the District manages most cash assets. The use of a credit card service would require the establishment of a stand-alone bank account.

R8: That the Assistant Superintendent of Business Services establish, in the next six months, stricter enforcement policies for the non-payment of field use fees.

**Response:** NVUSD will develop a non-payment enforcement policy within the next six months and include said language in the newly developed Joint Use Agreement with the City of Napa.

R9: That the Director of Maintenance and Construction, in conjunction with the principals at each elementary school site, place at the entrance of each playing field updated, highly visible signage stating that a use permit for organized sports is required to use the field.

**Response:** NVUSD will not implement this Recommendation because it is unwarranted. Current facility design and the spirit of the Civic Center Act limit NVUSD's control of open campus access from organized public use of the facilities. NVUSD will continue to enforce permitted use of the facilities through the reservation process and District Staffing.

R10: That the Director of Maintenance and Construction establish procedures that expedite and track emergency work order requests within the web-based, electronic "School Dude" system.

**Response:** NVUSD supports the expedition and tracking of emergency work order requests, but the School District did not specify a time frame for implementing this Recommendation nor did they provide a summary of how it would integrate the new procedures within the web-based, electronic "School Dude" system

R11: That the Director of General Services and Facilities within the next six months create a computerized, online Facilities Use

Application form designed for the exclusive reservations of playing fields.

**Response:** NVUSD states that this Recommendation requires further analysis and study. NVUSD indicated that its staff would be working on developing a program for internal use over the next few months. A completely automated online system, whether it is "School Dude," or another system will require a longer implementation period.

R12: That the Director of Maintenance and Construction continue to research and apply the most effective methods of controlling gopher infestation observed at many of the fields.

Response: NVUSD agrees to implement this Recommendation but it does not specify which type of new management techniques it intends to use to control the gopher infestation.

R13: That the Superintendent of Schools and the Director of General Services and Facilities establish written guidelines for the public posting of Youth Sports Council meetings, agendas and minutes.

**Response:** NVUSD will not implement this Recommendation because it is not warranted. NVUSD feels that the Youth Sports Council is most effective if it remains an autonomous organization, outside the direct supervision and control of either NVUSD or the City of Napa.

R15: That the Assistant Superintendent of Business Services implement and maintain a new financial software system for accounting services within the NVUSD to include the Napa Youth Sports League account.

**Response:** NVUSD has implemented this Recommendation effective July 1, 2014.

R16: That the NVUSD establish, within the next six months, written policies defining the type of work that can be performed on the fields by volunteers from non-profit sports organizations.

**Response:** NVUSD has implemented this Recommendation. A volunteer site improvement plan is in place that allows for a case by case review of all proposed site improvements projects. This includes: scope of the project; scale of the project; staffing impact; and potential liability exposure mitigation by the District.

## **B. OBSERVATIONS**

The Grand Jury requested responses from both NVUSD and the City of Napa. The City of Napa filed timely responses within the ninety-day statutory time frame. NVUSD submitted its Responses on August 22, 2014, thirty days after the statutory time frame of ninety days.

## **VII. REVIEW OF RESPONSES TO THE 2013-2014 REPORT ON THE NAPA COUNTY JAIL**

### **A. DISCUSSION**

Each Grand Jury is required to issue an Annual Report on the conditions and management of the public prisons within its county (CA Penal Code 919(b)). The 2013-2014 Napa County Grand Jury issued its Final Report in the Napa County Jail (NCJ) on May 13, 2014.

The Napa County Grand Jury inspected the Jail and found it adequately maintained despite the fact that it is approaching four decades of use. The correctional staff that was observed, appeared professional in appearance and attitude. The correctional staff noted

that the 2011 Public Safety Realignment Act shifted the burden for incarceration, monitoring and rehabilitation of certain felonies to California's counties.

The Napa County Jail facility has adequately handled the additional number of inmates but the addition of more criminally sophisticated felons has impacted the system. A new county jail is in the planning stages with a completion date in 2018. The new jail facility should help ease the problem of overcrowding.

Both the 2006-2007 and the 2010-2011 Grand Juries recommended that the Board of Supervisors (BOS) consider returning the management of the Jail to the Sheriff (Napa is one of two California counties still with a civilian-run jail).

The following two Recommendations were addressed to the Napa County Board of Supervisors. Responses follow:

R1. The 2013-2014 Grand Jury has identified three compelling issues in favor of returning the management of the Napa County Jail facility to the Napa County Sheriff and requests that the Board of Supervisors reconsider its prior position on the management structure of the jail.

**Response:** The Recommendation will not be implemented because it is not warranted. The Grand Jury identified three issues in their report: the impact of Realignment; the extreme difficulty in recruiting and retaining quality personnel; and the inadvisability of structuring the system around one extraordinary individual – the Director of Corrections.

The Board of Supervisors acknowledges that the impact of Realignment on operations in the jail has been significant. However, the Board disagrees that returning the management of the jail to the Sheriff's Office is the appropriate response.

Realignment has required all counties to deal with inmates who are incarcerated for longer terms. Regardless of whether the jail is

operated by the Sheriff or under the Board of Supervisors authority, the impact of Realignment will continue to challenge jails and change the way counties deal with their local corrections issues. In Napa County, the Correctional Officers are trained to address these changes and are seen as professionals in the field of corrections.

The level of training and education required for correctional officers at Napa County Detention Center (NCDC) is exactly the same as the level of training and education required for correctional deputies who are employed at Sheriff-run jails. Unlike many Sheriff's departments, NCDC Correctional Officers have sought out the position and are not seeking to work a minimum amount of time in the jail before being assigned to patrol functions. Because of this the Board does not believe that shifting management to the Sheriff's Office would result in any tangible benefits.

As to the recruitment and retention issues, the Board of Supervisors does not believe these issues are unique to NCDC. Law enforcement/corrections agencies have been experiencing a downward trend in gaining the interest of well-qualified candidates. Changes in retirement benefits have affected virtually all agencies in the state, and many agencies continue to deal with budget constraints in this uncertain economic period which has decreased the overall number and quality of candidates looking to move into the field.

Additionally, Realignment funding and subsequent jail construction funding that was made available to increase correctional beds throughout the state has resulted in an increase in recruitments as multiple agencies are attempting to fill similar positions simultaneously.

This year the Board of Supervisors supported legislative efforts (Senate Bill 1406), which were passed and recently signed by the Governor, to allow for enhanced inmate custodial duties for NCDC Correctional Officers. Under SB 1406, correctional officers are given the ability to perform almost all of the functions that correctional deputies are allowed to perform in sheriff-run jails.

Once authorized by a vote of the BOS, this bill comprehensively gives correctional officers authority similar to those previously granted to correctional officers. For example, in the County of Santa Clara this includes serving warrants, court orders, writs, and subpoenas in the detention facility, performing searches, and making arrests within the facility.

Additionally, the bill designates our Correctional Officers as "custodial officers" under the State's definition, which allows for higher charges against inmates who may assault correctional officers. The BOS believes this improved slate of duties and protections will assist with recruitment and retentions.

Over the last three years, the Director of Corrections has undertaken additional efforts to recruit staff. Correctional officer job postings are now advertised on national websites, and staff has been working to establish protocols regarding recruiting from nearby military bases. There have also been targeted recruitments at local police academies.

It is hoped that with the steps taken by the department to recruit nationally and to access potential candidates from the local military bases, Napa County will see some favorable results.

Finally, the BOS agrees that the current Director of Corrections has been outstanding in helping the County to navigate the historic changes in criminal justice management brought on by the passage of realignment. The Director of Corrections is supported by the Board of Supervisors in his efforts, as well as by colleagues in every criminal justice agency in the county.

Napa County has a long history of collaborative efforts and while the management of the jail is under the control of the Director of Corrections, he enjoys dedicated partnerships from his peers.

Although not mentioned in the Report, relationships with the Superior Court, District Attorney's Office, Probation Department, Public Defender's Office, Health and Human Services Agency, as well

as local law enforcement further support the Director's success. Moving the management of the jail to the Sheriff's Office would not create any substantive advantages over the current model, which is very successful and cost effective.

The Jail and its operations are dependent upon the support and backing of various agencies and personnel. In Napa County, the cooperative relationships ensure that various partners consider the impact of their actions on other members in the criminal justice community. This also explains the level of success seen by the Grand Jury members. NCDC is one portion of the larger criminal Justice system and the Board of Supervisors sees it as an integral part of the overall team.

R 2. The Grand Jury requests that the Board of Supervisors implement any changes in management structure by the end of FY 2015-2016.

**Response:** The Recommendation will not be implemented because it is not warranted. Based on the Response to Recommendation No. 1, there is no action warranted in response to Recommendation No. 2.