



A Tradition of Stewardship
A Commitment to Service

County of Napa 2025-2026 Civil Grand Jury



Consolidated Final Report



**County of Napa Civil Grand Jury
1754 Second Street, Suite D
Napa, CA 94559**

Serving Napa County & Its Citizens Since Statehood

June 30, 2026

To the Citizens of Napa County and the Hon. Scott R.L. Young, Napa County Superior Court Presiding Judge and the Hon. Robert Stamps, Civil Grand Jury Judicial Liaison:

2026 is the 250th anniversary of the Declaration of Independence, and our 2025-2026 term also marks the 175th anniversary of the adoption of the California Constitution of 1850. California maintains its unique position as being the only state which annually empanels a Civil Grand Jury.

California's annual empanelment of a civil grand jury in each of its 58 counties is enshrined in its Constitution and represents the State's commitment to effective and efficient governance.

The Civil Grand Jury's duty is to act as a watchdog to both county and local governments to help ensure the efficacy of government and to investigate and report on concerns of which it is, or those of which it is made, aware. At a time when public trust in government may be at an ebb, it is heartening to know that a diverse group of citizens can come together and, by consensus, identify areas where our local government could perform better and make common-sense recommendations for improvement.

The 2025-2026 Napa County Civil Grand Jury reviewed multiple topics and citizen complaints, selecting three significant areas of public concern for a full investigation and report. Moreover, it fulfilled its responsibility to review detention centers within the county, issuing a statement describing that review in summary, and conducted a review of the responses from various jurisdictions to last year's reports.

This year's Civil Grand Jury implemented a new online fillable form to receive citizen complaints and concerns, resulting in a significant increase in public input. We also continued the practice of last year's jury to publish reports in both English and Spanish, and post our reports in compliance with new Americans with Disabilities Act accessibility requirements. The Civil Grand Jury believes these methods to be effective in reaching a broader audience and would welcome all future juries to consider other steps that might create a stronger impact.

The Consolidated Report that follows is a compilation of several months of investigation by the 18 members of this year's jury. Many interviews with the stakeholders of the various investigations were conducted and thousands of pages of documentation reviewed and referenced. The effort was a heavy lift, and I want to both congratulate and commend the jurors who sacrificed a significant amount of their time to gather and verify the information and documentation required by these reports. They worked together tirelessly and professionally, with much respect towards one another, earning my enduring appreciation and esteem for the outstanding and dedicated citizens that they are.

It has been my great honor to serve as this year's foreperson and as a member of the 2025-2026 Napa County Civil Grand Jury.

Respectfully submitted,

Robert J. Van Der Velde

Foreperson

2025-2026 Civil Grand Jury

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2025-2026 Grand Jury Membership Roster

Beatriz Becerra	Napa
Rex Bennett	Napa
Geni Bennetts	Napa
Vicki Rister Biale	Napa
Tom Boeddiker	Napa
Sandra Clarey	Napa
Victor Connell	Napa
Wendy Corley	Napa
La Tanya Hudson	American Canyon
Ben Neuman	Napa
Robert O'Neill	Napa
Jose Palma	American Canyon
Michael Reich	Napa
Robert Van Der Velde	Napa
Craig Vega	Napa
Russell Wilsey	Napa
Richard Yarlott	Napa
James Young	Napa



Front Row: Michael Reich, Richard Yarlott; Sandra Cleary, Robert Van Der Velde, Hon. Robert Stamps, Wendy Corley, Rex Bennett, Gene Bennetts

Back Row: Beatriz Becerra, Russell Wilsey, La Tanya Hardy, Ben Neuman, Victor Connell, Craig Vega, James Young, Thomas Boeddiker, Vicki Rister Biale, Jose Palma

Photo credit: Laura Gregory, Gregory Made Photography, LLC – www.gregorymade.com.

Acknowledgements

The 2025-2026 Napa County Civil Grand Jury acknowledges the following individuals for their assistance to and support of the Civil Grand Jury:

- Hon. Robert Stamps, Judicial Liaison, Napa County Superior Court
- Silva Darbinian, Chief Deputy County Counsel, Napa County
- Bob Fleshman, Chief Executive Officer, Napa County Superior Court
- Heidi Van de Ryt, Court Executive Assistant, Napa County Superior Court
- Andrew Mize, Senior Management Analyst, Napa County
- Kyung Lee, Napa County ITS
- Alice Danner, Staff Services Analyst, Napa County
- The Peter and Vernice Gasser Foundation, Nancy Watt, Chief Executive Officer and Mitch Wippen, Chief Operations Officer, The Gasser Foundation
- Napa Chapter, California Civil Grand Jury Association
- Dan Evans, Editor, *Napa Valley Register*
- Laura Gregory, photographer, Grand Jury group photo
- Maggy Walton and Napa Printing

**2025-2026 Napa County Civil Grand Jury
Final Reports**



**A Tradition of Stewardship
A Commitment to Service**

NAPA COUNTY CIVIL GRAND JURY

2025-2026

April 13, 2026

FINAL REPORT

FEAR OF ICE IN THE VALLEY?

NAPA COUNTY LAW ENFORCEMENT'S RESPONSE

SUMMARY

The 2025-2026 Napa County Civil Grand Jury examined local law enforcement¹ interactions with Immigration and Customs Enforcement (ICE)² amid concerns over immigration enforcement in a community with a significant foreign-born population. This Report reviews relevant California laws, local policies and procedures, and community responses to immigration enforcement actions in Napa County.

- **Community and law enforcement collaboration:** Local community groups collaborate with local law enforcement to reduce fear and misinformation and to provide support during ICE actions. Napa law enforcement agencies issued a joint statement reaffirming that they do not enforce immigration laws as it is a federal, not state or local function. Instead, they comply with state protections in order to encourage community trust and emergency reporting.
- **Local law enforcement practices:** Agencies adhere to department policies not to inquire about immigration status, to engage in community outreach, and to comply with laws including SB 54 and the TRUTH Act. They distinguish judicial warrants from ICE administrative warrants³ and do not share license plate reader data with ICE or out-of-state agencies.
- **Napa County Jail practices:** The Napa County Jail, uniquely administered by the Napa County Department of Corrections instead of the Sheriff's Department as in other counties, follows SB 54 but may notify ICE of release dates for individuals charged but not convicted of certain crimes, potentially affecting their legal rights.

Compared to other Bay Area counties, Napa responded to a broader category of ICE requests for release of information, but only a few individuals were taken into ICE custody.

- **Findings and recommendations:** The Civil Grand Jury finds that local law enforcement effectively communicates its role in not enforcing immigration, but should expand its social media outreach, especially in Spanish. Recommendations include continuing community collaboration, more detailed and more frequent TRUTH Act reporting to the Napa County Board of Supervisors, and examination of ICE release notification procedures.

METHODOLOGY

The 2025-2026 Napa County Civil Grand Jury determined that public concern about local law enforcement involvement in federal immigration enforcement is a significant issue in our community. The Civil Grand Jury's investigation included interviews of local law enforcement officials, employers and members of the local community, and immigration rights advocates.

The Civil Grand Jury also reviewed state and local law enforcement policies and procedures, training records, automatic license plate reader logs, and records of inmates released to ICE; as well as statutes and case law regarding immigration enforcement in California.

It is important to note that laws and facts regarding immigration enforcement are rapidly changing. Therefore, the information provided in this Civil Grand Jury Report is current only as of the date of its publication.

DISCUSSION

Introduction

Recently expanded immigration enforcement actions across the U.S., particularly closer to home in Southern California, have raised concerns in Napa County and our immigrant communities.⁴ During multiple interviews, the Civil Grand Jury heard reports of fear directly related to immigration enforcement. This fear caused residents to avoid leaving their homes, resulting in the cancellation of public events, and drops in church and

school attendance. Reluctance to report crimes for fear of engagement with law enforcement was also noted.

The 2020 U.S. Census concluded that approximately 32,000 individuals, or 23% of Napa County's population, are foreign-born, but the Census did not ask about citizenship. A study from 2012 estimated that one-third of Napa County's foreign-born residents were U.S. citizens, one third were Legal Permanent Residents (green card holders), and one-third, or approximately 10,000 people, were undocumented foreign-born residents.⁵

Although the Civil Grand Jury has no jurisdiction to investigate federal government's actions, as a watchdog over local government it may investigate local law enforcement's interactions with the federal authorities.

Legal Background

United States Immigration and Customs Enforcement (ICE) is a federal⁶ law enforcement agency under the supervision of the United States Department of Homeland Security. The ICE mission statement says:

“U.S. Immigration and Customs Enforcement (ICE) was created by the Homeland Security Act of 2002 to handle the functions of the former Immigration and Naturalization Service (INS) and the U.S. Customs Service. ICE's important mission is to protect America from cross-border crime and illegal immigration that threaten national security and public safety. This mission is executed through the enforcement of more than 400 federal statutes and focuses on effective immigration enforcement, preventing terrorism and combating the illegal movement of people and goods, including:

- **Border and National Security:** Protecting the nation by enforcing immigration laws, preventing illegal movement of people and contraband.
- **Interior Enforcement:** Identifying and removing dangerous individuals or those in the U.S. illegally.
- **Preventing Terrorism:** Investigating threats and identifying noncitizens with terrorist ties.
- **Combating Criminal Networks:** Investigating trafficking, smuggling, and financial crimes.”⁷

Local California law enforcement cannot impede or interfere with ICE actions. Involvement and/or cooperation between local law enforcement and ICE is governed by three California statutes: the 2013 Trust Act, the 2016 TRUTH Act, and the 2017 California Values Act. Also relevant are 2015’s SB 34, which regulates the use of Automated License Plate Reader (ALPR) data collected by law enforcement agencies, as well as possibly two new statutes currently in litigation banning most masks and generally requiring identification or badges to be worn.

Trust Act (AB 4)

California’s Trust Act⁸, adopted in 2013, prohibits law enforcement officers from retaining custody of an individual on the basis of an ICE hold or “detainer” after that individual becomes eligible for release. There is an exception if, at the time that the individual becomes eligible for release from custody, certain conditions are met, including, among other things, that the individual has been convicted of one of thirty-one serious criminal offenses.⁹ (Gov’t. Code § 7282 et seq.)

TRUTH Act (AB 2792)

The Trust Act was supplemented in 2016 with the adoption of AB 2792, the Transparent Review of Unjust Transfers and Holds (TRUTH) Act¹⁰ (Gov't. Code § 7284 et seq.) It requires a local law enforcement agency, prior to an interview between ICE agents and an individual in custody regarding civil immigration violations, to provide the individual a written consent form, as specified, that would explain, among other things, the purpose of the interview, that it is voluntary, and that the individual may decline to be interviewed. The Act further requires local law enforcement to provide copies of the documentation received from ICE to the individual and to notify the individual regarding the intent of the agency to comply with ICE requests. It also provides that records related to ICE access are covered by the Public Records Act. It further requires the Napa County Board of Supervisors to hold at least one public community forum each year, to provide information to the public about ICE's access to individuals, as well as receive and consider public comments.

California Values Act (SB 54)

The California Values Act (SB 54; California Government Code § 7284 et seq.)¹¹ adopted in 2017 that took effect on January 1, 2018, restricts state and local law enforcement's cooperation with ICE. Key provisions include:

- Limits on Cooperation: Local law enforcement personnel cannot use resources to investigate, detain, or arrest

individuals for immigration enforcement purposes, except in specific cases as listed in the Trust Act.

- Information Sharing Restrictions: Local law enforcement agencies are prohibited from sharing personal information about individuals (e.g., release dates) with ICE unless it pertains to individuals convicted of specific offenses, or unless the information is publicly available.
- ICE Detainer Restrictions: Local law enforcement agencies cannot comply with ICE detainer requests (requests to hold individuals for immigration purposes) unless supported by a judicial warrant or unless the individual meets specific criminal criteria outlined in the law.
- Access to Facilities: SB 54 limits ICE's access to local jails for immigration enforcement purposes, requiring judicial warrants for transfers.
- Notification: Individuals must be informed of their legal rights before any ICE interviews take place, and local law enforcement agencies must provide the individual with a written consent form that explains the purpose of the interview, that the interview is voluntary, and that he or she may decline to be interviewed or may choose to be interviewed only with his or her attorney present.

The federal government sued California over the constitutionality of SB 54, and in July 2018, U.S. District Judge John A. Mendez largely upheld SB 54, dismissing most of the federal government claims. United States v. California, 314 F. Supp. 3d 1077 (E.D. Cal. 2018).

The court ruled that SB 54 does not directly conflict with the Immigration and Naturalization Act, 8 U.S.C. § 1373, because SB 54 regulates state and local resources, not federal authority, and states are not obligated to assist federal immigration enforcement under the Tenth Amendment's anti-commandeering doctrine. The court found that SB 54's restrictions on information sharing and transfers were permissible exercises of state authority to regulate local law enforcement practices. The only provision struck down was a requirement for state employers to notify employees of immigration inspections, which was deemed preempted by federal law (not part of SB 54's core immigration provisions).

The Ninth Circuit U.S. Court of Appeals largely affirmed this ruling in 2019, reinforcing that states can limit cooperation with ICE without violating the Supremacy Clause, as long as they don't directly obstruct federal law. United States v. California, 921 F.3d 865 (9th Cir. 2019) cert. denied, 141 S. Ct. 124 (2020). The court concluded:

“SB 54 may well frustrate the federal government’s immigration enforcement efforts. However, whatever the wisdom of the underlying policy adopted by California, that frustration is permissible, because California has the right, pursuant to the anticommandeering rule, to refrain from assisting with federal efforts. The United States stresses that, in crafting the [Immigration and Naturalization Act], Congress expected cooperation between states and federal immigration authorities. That is likely the case. But when questions of federalism are involved, we must distinguish between expectations and

requirements. In this context, the federal government was free to expect as much as it wanted, but it could not require California’s cooperation without running afoul of the Tenth Amendment.”

United States v. California, 921 F.3d at 890–91. In 2020, the U.S. Supreme Court denied further review, so this decision stands as precedent.

SB 34 (2015)

Many law enforcement jurisdictions, including those in Napa County, use Automated License Plate Reader (ALPR) technology¹². ALPRs are camera systems that capture the license plate data of vehicles, along with related information. Law enforcement agencies use ALPRs for a variety of proactive and reactive policing purposes. These include gathering intelligence and evidence, helping to identify potential suspects, and facilitating crime scene analysis.

Adopted in 2015, SB 34 (Civil Code § 1798.29 et seq.) provides that ALPR data may not be shared with out-of-state or federal authorities including ICE.¹³ There have been reported violations in Los Angeles, Orange, San Diego, and Riverside counties.¹⁴ The California Attorney General recently sued at least one jurisdiction¹⁵ over alleged violations, with no disposition as of this Report.

SB 627 and SB 805 (2025)

Two additional new statutes impact ICE actions in California, but implementation is on hold due to litigation brought by the federal government. The No Secret Police Act (SB 627¹⁶) and the No

Vigilantes Act (SB 805¹⁷) were signed into law by Governor Gavin Newsom on September 20, 2025. The No Secret Police Act prohibits federal law enforcement officers from wearing face coverings, except in limited circumstances. The No Vigilantes Act requires local and federal law enforcement officers to visibly display identification that includes their agency affiliation and either the officer or agent name or badge number when performing law enforcement duties, except in limited circumstances. On February 9, 2026, the facial covering ban was struck down by a federal court, although the visible identification was upheld but is currently being appealed.¹⁸

Immigration Enforcement in Napa

The Civil Grand Jury heard testimony from multiple sources that ICE actions in Napa Valley in 2025 did not include any blanket enforcement efforts (“raids”), but was limited to individualized (“targeted”) cases. Nevertheless, there is often widespread anxiety in the immigrant community which can result in over-reacting to routine local law enforcement activities for fear of ICE’s involvement. A coalition of community groups formed Napa Valley Together, created to “reduce the climate of fear created by misinformation”.¹⁹ The North Bay Rapid Response Network²⁰ (a broader group of immigration advocacy organizations in Napa, Solano, and Sonoma Counties) provides a 24-hour hotline to immigrants fearing a raid by federal immigration agents, dispatches trained legal observers to the affected location, provides legal defense to individuals, and offers accompaniment to impacted people, families and communities. They also distribute “Know Your Rights” red cards²¹ throughout the community.

These organizations have been in close contact with local law enforcement, meeting in late 2024 in preparation for the incoming presidential administration. On December 30, 2024, the local law enforcement agencies announced a joint Statement from Law Enforcement Agencies²² worth repeating in full here:

“As local law enforcement leaders in Napa County, we are acutely aware of concerns and fears some members of the communities we serve are experiencing related to immigration enforcement. It is important that we reiterate our commitment to public service and safety of all our residents, regardless of immigration status. Our primary goal is safety. A safe community needs effective law enforcement agencies. To be effective, we need trust and cooperation between all residents and the law enforcement sworn to protect them. There are some things we’d like you to know about the work we do and don’t do on your behalf as it relates to immigration enforcement.

We don’t:

- Have any constitutional authority, jurisdiction, or powers of arrest on federal immigration violations;*
- Detain or question people about immigration documentation;*
- Determine immigration status to qualify victims of crime for services;*
- Assist in immigration enforcement investigations;*
- Use agency resources for immigration enforcement;*
- Use ICE agents as interpreters.*

We do:

- *Want to encourage anyone who needs our services or has an emergency to call 911;*
- *Serve anyone and everyone in need without regard to immigration status;*
- *Scrupulously comply with SB 54, known as the California Values Act, AB 2792, known as the Truth Act and AB 4, known as the Trust Act;*
- *Want to encourage the spread of truthful information within our community about law enforcement activities, when possible.*

Our policies tightly align with all California state laws that are designed to protect the rights of all residents, including those who have immigration concerns. We do not want the fear of immigration status to inhibit members of our communities from interacting with any member of our respective teams or, more importantly from reaching out if they are in an emergency or find themselves in need of our services.”

The Statement was signed by the Napa County Sheriff, Napa County District Attorney, Napa County Department of Corrections Director, Napa County Probation Department Chief, and the 5 City Municipal and Napa Valley College Chiefs of Police. While interviews and research by the Civil Grand Jury support the conclusion that local law enforcement has been abiding by their Statement, concerns within the immigrant communities persist, fueled by misinformation on social media and by reports of immigration enforcement actions occurring nationally.²³

Local law enforcement policies and practices

The Civil Grand Jury learned that local law enforcement agencies have been living up to the commitments of their December 2024 Statement. Policies pertaining to inquiries about immigration status appear to be followed as no violations have been reported. Local law enforcement officials have spoken at various churches and other public venues while in uniform, speaking in English and Spanish. They provided flyers picturing patches, uniforms, and vehicles used by local law enforcement to illustrate the differences between local law enforcement and ICE.²⁴ Their public relations efforts help to break down barriers within the immigrant community with the hope of making them more likely to call law enforcement when needed.

In particular, the Sheriff and Napa Police Departments work to dispel false alarms on social media about ICE actions. This has been done by posting on city and county websites, as well as contacting local community and advocacy groups to disseminate accurate information through trusted messengers including but not limited to Napa Valley Together member organizations. However, broader use of social and broadcast media, especially in Spanish, could be made by local law enforcement to reach members of the immigrant communities. The Civil Grand Jury heard testimony that area Spanish-language broadcasters are considered trusted sources of information.

Recently, the Sheriff and Napa Police Departments have also trained their staff to distinguish between judicial warrants, which are honored by local law enforcement, and ICE “administrative warrants” which are not honored. In addition, consistent with departmental policy and state law, the Sheriff

and Napa Police Departments have not shared any Automatic License Plate Reader data with ICE, or any other out-of-state agencies.

Napa County Jail

Unique among California's 58 counties, the Napa County Jail is administered by the Napa County Department of Corrections rather than the Sheriff's Department. The Napa County Department of Corrections reports to the Napa County Chief Executive Officer who in turn reports to the Napa County Board of Supervisors. The Napa County Jail has a detailed procedure governing responses to ICE communications²⁵ that adheres to SB 54. The Napa County Jail provides release information to ICE in the full range of cases permitted by California law, including:

- some misdemeanors;
- felony offenses that have been downgraded to misdemeanors; and
- certain cases involving violent offenses where the "individual is currently charged with a crime listed... and a magistrate has made a finding of probable cause as to that charge at the preliminary hearing."

The current Napa County Jail procedure allows for inmate release information to be provided to ICE for some individuals who have been charged but are not yet convicted of certain violent or serious crimes, potentially depriving residents of their ability to contest the charges if subsequently deported.

Jail practices in other Bay Area counties appear to vary, with some jails limiting release information to even less than what is fully permitted by SB

54. One investigative report found that Bay Area jails respond positively to ICE requests from zero to 23% of requests.²⁶ “Blanket refusals to comply with ICE detainer requests remain common practice across Alameda, San Mateo, and Santa Clara counties”, while the San Francisco Sheriff reported ICE is only notified of the release of an individual with a “history of a conviction of a violent felony within seven years, a conviction of a serious felony within five years, or three separate convictions on three separate felonies within five years. We can't just say, unequivocally, no cooperation at all.”²⁷ The Sonoma County Jail maintains a detailed “Immigration Notification Matrix”²⁸ that appears to exclude some categories of disclosure permitted by California law, such as certain “wobbler” offenses (offenses which could be charged either as a felony or a misdemeanor depending on the circumstances), which Napa County may consider adopting.

The Napa County 2025 TRUTH Act report²⁹ (based on 2024 data) indicated receipt of 158 ICE requests for advance release information. Of the 158 requests, the Napa County Jail determined only 36 requests involving individuals whose information could be disclosed under the TRUTH Act. Of those 36, seven individuals were taken into custody by ICE (six males and one female), all of whom were Hispanic. The Napa County Jail supplemented the 2024 data with a verbal report at the August 2025 TRUTH Act hearing regarding the first half of 2025. ICE took six individuals into custody in just the first six months of 2025.

The Civil Grand Jury reviewed the records of the Napa County Jail’s responses to ICE requests for the first three quarters of 2025 (January 1 to September 30). The Napa County Jail provided notification to ICE two to four hours prior to inmate release in eighteen cases. ICE took custody of

nine individuals, compared to seven out of 36 for calendar year 2024. Individuals remanded to ICE custody had records for general battery (2 individuals), assault with a deadly weapon, DUI with bodily injury, false imprisonment and assault with a deadly weapon; felony possession of a controlled substance (2 individuals), and possession of stolen property.³⁰ In one instance, ICE was notified based upon a judicial finding of probable cause, not based upon a felony conviction, and that criminal case remains pending.

In comparison, the Sonoma County Sheriff's 2025 TRUTH Act report³¹ painted a similar picture, but with more detailed information. The Sonoma County Jail received 484 requests for release of information, responded in 64 cases with ten individuals taken into custody, along with two individuals transferred pursuant to federal judicial warrants. The Sonoma County TRUTH Act report also provided details as to ICE Notices by types of offenses, age, gender, country of origin, and recidivism. This information could be useful to Napa County policymakers.

The Civil Grand Jury concludes that the TRUTH Act reporting on an annual basis does not provide the Napa County Board of Supervisors and the community with timely information, detailed enough to be broadly disseminated. Due to local concerns about rapidly moving developments in nationwide immigration enforcement, the community would be well-served by more frequent and detailed TRUTH Act reports. The Civil Grand Jury further concludes that the Napa County Board of Supervisors should review the Napa County Jail practices regarding individuals with misdemeanor offenses or charges without convictions and whether their release dates should be excluded from ICE notifications.

FINDINGS

The Civil Grand Jury finds:

- F1: Napa County law enforcement agencies have worked well with the community to explain that they do not enforce immigration law, because it is a federal and not local function. Despite this, fears persist and therefore efforts should continue to expand the use of social and broadcast media, particularly in Spanish.
- F2: TRUTH Act annual reporting does not provide the Napa County Board of Supervisors and the community with timely and sufficiently detailed information.
- F3: The Napa County Jail uses the full extent of its discretion under SB 54 in providing release information to ICE regarding those convicted of offenses listed under SB 54, including certain misdemeanors. In at least one instance, information was released regarding those who were charged with, but not convicted of, certain offenses listed under SB 54.

COMMENDATION

The 2025-2026 Napa County Civil Grand Jury commends the production of the December 2024 “Statement From Law Enforcement Agencies” regarding immigration enforcement and their clear and consistent public efforts to disseminate and abide by it.

RECOMMENDATIONS

The Civil Grand Jury recommends:

- R1: The Napa County Sheriff and Police Departments should continue to deepen community collaborations and encourage their public information staff to expand the use of social and broadcast media, particularly in Spanish.
- R2: By June 30, 2026, the Napa County Board of Supervisors should request more frequent TRUTH Act reports from the Napa County Jail (to be provided at evening meetings of the Board, allowing broader public participation).
- R3: By June 30, 2026, the Napa County Board of Supervisors should request that the Napa County Jail TRUTH Act reports include data related to each individual for whom release information was sent to ICE, identification of the individual offense(s) and whether they were convictions or only charges, as well as using the Immigration Notification Matrix categories used by the Sonoma County Jail in their TRUTH Act reports.
- R4: By June 30, 2026, the Napa County Board of Supervisors should review the Napa County Jail practices regarding individuals with misdemeanor offenses, “wobbler” offenses, or charges without convictions and whether their release dates should be excluded from ICE notifications.

REQUIRED RESPONSES

Pursuant to Penal Code section 933.05, the Napa County Sheriff is *required* to respond to F1 and R1 within 60 days of receipt of this report, and the Napa County Board of Supervisors is *required* to respond to F2 and F3 and R2, R3, and R4 within 90 days of receipt of this report.

INVITED RESPONSES

The Civil Grand Jury *invites* the City of Napa Chief of Police to respond to F1 and R1 within 60 days of receipt of this report.

ENDNOTES

¹ As used in this report, local law enforcement refers to the Napa County Sheriff’s Department, the Napa County Department of Corrections, and local municipal and college police departments in Napa County.

² As used in this report, “ICE” refers to U.S. Immigration Control and Enforcement, and also encompasses the U.S. Customs and Border Patrol, a separate Department of Homeland Security agency that also engages in immigration enforcement, along with other federal agencies engaged in immigration enforcement.

³ A judicial warrant is a court order signed by a Judge, Magistrate or Court Commissioner. An “administrative warrant” or “immigration warrant” is issued by an agency without judicial review. See, California Attorney General, “Information Bulletin: National Crime Information Center Administrative Warrants”, April 7, 2025. <https://oag.ca.gov/system/files/media/2025-dle-08.pdf>

⁴ The Los Angeles County Board of Supervisors has declared a state of emergency in response to large scale immigration enforcement actions. “L.A. County declares state of emergency to fight against ICE immigration raid”, Los Angeles Times, October 15, 2025, (<https://www.latimes.com/california/story/2025-10-15/l-a-county-declares-state-of-emergency-to-fight-back-against-ice-immigration-raids>). The declaration of emergency may be found at the Los Angeles County Board of Supervisors meeting agenda of October 14, 2025 at <https://file.lacounty.gov/SDSInter/bos/supdocs/208457.pdf>.

⁵ Napa Valley Community Foundation, “A Profile of Immigrants in Napa County” (undated), (<https://static1.squarespace.com/static/542ec317e4b0d41ade8801fb/t/67c72f83ef2fdf1b4c4e4d6e/1741107075868/ICE+Matrix.2025.pdf/>)

⁶ Library of Congress, “Overview of Congress's Immigration Powers”, https://constitution.congress.gov/browse/essay/artI-S8-C18-8-1/ALDE_00001255/

⁷ U.S. Department of Homeland Security, ICE Mission Statement, <https://www.dhs.gov/topics/immigration-and-customs-enforcement>.

⁸ California Legislative Information, AB 4, https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB4.

⁹ These offenses include: (A) Assault; (B) Battery; (C) Use of threats; (D) Sexual abuse, sexual exploitation, or crimes endangering children; (E) Child abuse or endangerment; (F) Burglary, robbery, theft, fraud, forgery, or embezzlement; (G) Driving under the influence of alcohol or drugs, but only for a conviction that is a felony; (H) Obstruction of justice; (I) Bribery; (J) Escape; (K) Unlawful possession or use of a weapon, firearm, explosive device, or weapon of mass destruction; (L) Possession of an unlawful deadly weapon; (M) An offense involving the felony possession, sale, distribution, manufacture, or trafficking of controlled substances; (N) Vandalism with prior convictions; (O) Gang-related offenses; (P) An attempt or a conspiracy, to commit an offense specified in this section; (Q) A crime resulting in death, or involving the personal infliction of great bodily injury; (R) Possession or use of a firearm in the commission of an offense; (S) An offense that would require the individual

to register as a sex offender; (T) False imprisonment, slavery, and human trafficking; (U) Criminal profiteering and money laundering; (V) Torture and mayhem; (W) A crime threatening the public safety; (X) Elder and dependent adult abuse; (Y) A hate crime; (Z) Stalking; (AA) Soliciting the commission of a crime, as specified in, but not limited to, subdivision (c) of Section 286 of, and Sections 653j and 653.23 of, the Penal Code; (AB) An offense committed while on bail or released on his or her own recognizance; (AC) Rape, sodomy, oral copulation, or sexual penetration; (AD) Kidnapping; and (AE) a hit-and-run felony. Govt. Code § 7282.5 (a)(3).

¹⁰ California Legislative Information, AB 2792, https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB2792.

¹¹ California Legislative Information, SB 54, https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB54.

¹² The Congressional Research Service has a useful brief report on issues involving ALPRs. “Automated License Plate Readers: Background and Legal Issues”, https://www.congress.gov/crs_external_products/IF/PDF/IF13068/IF13068.1.pdf (July 21, 2025).

¹³ Attorney General Guidance: “Information Bulletin: California Automated License Plate Reader Data Guidance”, <https://oag.ca.gov/system/files/media/2023-dle-06.pdf> (October 27, 2023).

¹⁴ Johnson, K. and Al Elew, M.; “California police are illegally sharing license plate data with ICE and Border Patrol”, <https://calmatters.org/economy/technology/2025/06/california-police-sharing-license-plate-reader-data/> (June 13, 2025, accessed October 13,

2025); and KGO AB7 News, “SF and Oakland police illegally shared license plate data with federal agencies: report”

<https://abc7news.com/post/san-francisco-oakland-police-illegally-shared-license-plate-data-federal-agencies-report/17121472/> (July 14, 2025).

¹⁵ Press Release: “AG Bonta Sues El Cajon for Illegally Sharing License Plate Data with Out-of-State Law Enforcement,

<https://oag.ca.gov/news/press-releases/attorney-general-bonta-sues-el-cajon-illegally-sharing-license-plate-data-out> (October 3, 2025).

¹⁶ SB 627, No Secret Police Act, https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260SB627

¹⁷ AB 805, No Vigilantes Act, https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260SB805.

¹⁸ Laurel Rosenthal, “Judge Strikes Down California’s Ban on Masks for Federal Agents”, New York Times, February 9, 2026.

<https://www.nytimes.com/2026/02/09/us/judge-rejects-california-mask-ban-ice.html>

¹⁹ Napa Valley Together, <https://napavalleytogether.org/about/>. Participating organizations include Immigration Institute of the Bay Area, On The Move's Neighborhood Initiative, Puertas Abiertas Community Resource Center, UpValley Family Centers, Community Leaders Coalition, and the Napa Valley Community Foundation.

²⁰ “North Bay Rapid Response, <https://www.northbayop.org/nbrnrn>.

²¹ Information found on these cards is available at the Napa County “Know Your Rights” webpage. <https://www.napacounty.gov/3823/Know-Your-Rights>

²² "Statement from Local Law Enforcement Agencies", December 30, 2024, found at <https://www.napacounty.gov/DocumentCenter/View/35917/2024-Countywide-community-statement---immigration-practices---English>.

²³ See. e.g., Raquel Issenberg, "Trump's immigration whiplash leaves Sonoma County on edge: Immigrant advocates report panic and confusion as federal deployment stirs fear across North Bay", Press Democrat, October 24, 2025, <https://www.pressdemocrat.com/2025/10/24/trumps-immigration-whiplash-leaves-sonoma-county-on-edge/>.

²⁴ Copies of the flyers are available in English and Spanish at <https://www.northbayop.org/nbrn-download-materials>.

²⁵ Napa County Department of Corrections, "ICE Detainer Requests & Consular Notification", available at https://www.napacounty.gov/DocumentCenter/View/35617/Policy-604__ICE-Detainer-Requests-and-Consular-Notification.

²⁶ "When ICE wants help deporting immigrants, San Francisco Bay Area rarely complies", NBC Bay Area, April 28, 2025, (<https://www.nbcbayarea.com/investigations/ice-san-francisco-bay-area-sanctuary-city-standoff/3851860/>). The April report did not include data from Napa County as the Truth Act report for 2024 was not yet compiled.

²⁷ *Ibid.*

²⁸ "Immigration Notification Matrix", <https://static1.squarespace.com/static/542ec317e4b0d41ade8801fb/t/67c72f83ef2fdf1b4c4e4d6e/1741107075868/ICE+Matrix.2025.pdf>).

²⁹ "Napa County Community Forum", Napa County Board of Supervisors meeting, August 19, 2025, <https://napa.legistar.com/gateway.aspx?M=F&ID=2f645305-e195-45d7-abcf-8477f7f28e49.pdf>.

³⁰ Napa County Jail procedures allow ICE notifications if the offense was a misdemeanor committed in the last five years, so it is possible that not all of these offenses were felonies.

³¹ “Sonoma County Sheriff’s Office: 2024 US Immigration and Customs Enforcement Data”, presented to the Sonoma County Board of Supervisors on July 22, 2025, <https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=7487179&GUID=80A27B99-03C6-423C-A00B-66AC27938E3A>.



NAPA COUNTY CIVIL GRAND JURY

2025-2026

FINAL REPORT

June 8, 2026

**Strengthening Napa's Planning Division: Technology,
Coordination, and Workforce Stability**

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INTRODUCTION

The 2025-2026 Napa County Civil Grand Jury [Civil Grand Jury] reviewed the operations of the Napa City Planning Division [Planning Division] [see Appendix 1] to assess its organizational capacity, internal coordination, and effectiveness in delivering timely and consistent development services. The review identified systemic issues affecting cost recovery, cross departmental coordination, technology implementation, legal support, development activity on keystone properties, and workforce stability.

SUMMARY

The Civil Grand Jury finds that the Planning Division has faced operational challenges that limit its ability to deliver efficient and transparent development services. These challenges stem from outdated technology, inconsistent cost recovery practices, insufficient cross departmental coordination, reliance on outsourced legal services, and the lack of succession planning.

Addressing these issues will require coordinated action, investment in technology and staff development, and a commitment to improving internal processes. Implementing the recommendations will strengthen organizational capacity, enhance service delivery, and better position the City to meet current and future community needs.

BACKGROUND

The Civil Grand Jury received a complaint regarding senior-level turnover in the Planning Division. In addition, there is a public perception that there

are delays in processing building permits. Lastly, there was interest in the underlying reasons behind several high-profile downtown properties in the City of Napa that were damaged in the 2014 earthquake where reconstruction still has not begun.

The Planning Division plays a central role in managing land use applications, entitlement processes (the legal approvals that give the right to use or develop a property in a specific way), and long-range planning. Its work requires close coordination with multiple City divisions, including Public Works, Fire, Building, Finance, and external legal counsel [see Appendix 2]. Over time, the department has experienced significant turnover, inconsistent use of technology, and limited cross departmental engagement. Discretionary applications require judgement, potential public hearings, and possible California Environmental Quality Act (CEQA) review allowing agencies to approve, deny, or modify projects. On the other hand, Administrative Applications are based on objective, codified standards with no personal judgement, and are often processed quickly. The Civil Grand Jury examined departmental practices, staffing patterns, technology systems, and interdepartmental workflows. The review also considered the City's reliance on outsourced legal services, the status of undeveloped keystone properties, and the absence of succession planning. The findings and recommendations reflect opportunities to strengthen organizational effectiveness and improve outcomes for the community.

METHODOLOGY

The Civil Grand Jury investigated the Planning Division's efficiencies in processing applications.

The Civil Grand Jury conducted a series of interviews with members of the Napa City Planning Commission, City Administration, as well as with current and former Planning Division personnel. In addition, interviews were held with local developers to understand the private sector's experience of the application process. The Civil Grand Jury interviews were all conducted between September 2025 and February 2026, confidentially, and in accordance with State law¹.

Other information reviewed was obtained from public sources, including the Planning Division website² and the City of Napa website³. Included in the review were the FY2023 - FY2025 city budgets [see Appendix 3], the Planning Division budget, as well as other information on the website and other documents cited below in this report. Various news articles from the Times-Herald, the Napa Register, and the Press Democrat were also reviewed.

DISCUSSION

This investigation began as an inquiry into two areas of focus: Planning Division operations and high levels of employee turnover. The goal was to identify opportunities to reduce cycle times for granting land use entitlements and completing large projects. It was learned that most project applications (large and small) are administrative and approved within a 30-day state required timeframe, with very few exceptions. The

most significant impact to completing large development projects was leadership challenges and coordination with external departments. Some operational efficiencies and improvements were also identified.

- **Slow Progress on Key Initiatives:**

The Civil Grand Jury began by looking into several high-profile downtown Napa properties that have been fenced off for twelve years since the 2014 earthquake with no progress towards completion. For example, the City's Main Post Office building on Second at Franklin; it's only downtown supermarket (the former Safeway store) at Clay and Jefferson; and the First and Main vacant lot across from Starbucks. Through its investigations, the Civil Grand Jury determined that development of these properties in the City of Napa was not being held up by delays, staffing shortages or overly burdensome requirements from the Planning Division. In fact, the City's Administration desires to develop these properties to benefit the community and expand its revenue base but has few options to incentivize private development. Developing these sites should remain a high priority for the city. The lack of development can be directly associated with the developer or landowner.

- **Planning Division Staffing Review:**

Within one year, the Planning Division saw the departure of two Senior Planners (long-time Napa City employees) to retirement, and the loss of the Planning Manager to a nearby community. In addition, the City's Community Development Director, which oversees the Planning Division, was vacant for approximately six months. An

Interim Director was hired from outside the Department and has subsequently been appointed as the permanent director. The two Senior Planners were scheduled to retire toward the end of 2025; however, recruiting their backfills was delayed until after their scheduled departures. One Senior Planner was retained as a post-retirement annuitant for a temporary period. City hiring practices and budget constraints do not permit the city to hire replacements for known staff retirements or upcoming staff departures until the vacancy occurs. This practice prevents adequate training, knowledge transfer, and smooth handoff of applications in process. The lack of a succession plan for key departures in the Planning Division was evident when the Community Resources & Development [CRD] Director, Planning Manager and two Senior Planners all left the city within one year. These vacancies put additional stress on the remaining staff members and impacted long-term strategic planning. Despite all these challenges, Planning Division staff did an excellent job keeping projects moving and minimizing the impact of these departures on city residents (applicants). Every member of the staff who was interviewed was very professional and dedicated to the highest level of service and assistance to provide solutions for land use applicants. The Planning Division currently is actively recruiting staff to fill the open positions.

- **Technology Review:**

The Planning Division has not utilized a software operating system to manage permitting and licensing activity. Research currently requires manual review of records and manually

compiling data to build management reporting and information requests. This process can be lengthy and requires significant staff time to complete. To address these issues, the City of Napa engaged Tyler Technologies in 2022 to implement its EnerGov⁴ system to enhance and improve end-to-end application processing and customer experience. As of the date of this report, over six years after the contract, the software has still not been deployed.

- **Approval Cycle Times:**

Despite the lack of an enterprise platform, city staff manually maintain spreadsheets that track certain key information about project applications. The Civil Grand Jury reviewed the cycle times of all discretionary applications for approval over the last year, which reflected average decision times of less than thirty days.

- **Reliance on outsourced legal services has resulted in delays and increased costs:**

Significant turnover and long-term vacancies in the City Attorney's office required the City to outsource all legal representation to a third-party law firm to act as the City's Counsel. This significantly increases the City's legal expenses, and it has an adverse effect on decision cycle times relating to open applications with the Planning Division. All the interviewees indicated that response times for legal requests were taking longer than in the past, occurring late in the process, and often reported that decisions were overly risk adverse, causing delays, additional expenses to the City of Napa and

applicants, and creating confusion and frustration on the part of staff and applicants. The City is aware of these issues and is actively recruiting an in-house City Attorney.

- **Cross Departmental Coordination:**

All the interviewees reported concerns with cross-departmental coordination, collaboration, and communication which could negatively impact cycle times and frustrate applicants. While all divisions involved in the approval process work within their legal mandates for response times, not every division shares the same priorities, decision-making, or sense of urgency.

There are opportunities to improve cross-functional cooperation in the entitlement process. EnerGov implementation can help with this, along with better alignment of priorities and shared sense of urgency.

- **Planning Division Cost Recovery:**

Planning recovery rates (charges for services) are reported to be approximately 60% of actual costs. Recovering more than this has been a challenge historically because the Planning Division lacks the tools for billing the applicants. Full recovery rates should be the goal and are expected to improve with the Energov implementation. [OBJ]

FINDINGS & RECOMMENDATIONS

1. Cost Recovery – Inconsistent Project Billing Practices

Findings:

F1. The Planning Division’s cost-recovery model is constrained by inconsistent project billing practices. The department relies on a manually updated spreadsheet to track active projects and historical information, increasing the risk of error and limiting transparency. Significant staff time is required for time-tracking and chargebacks, reducing operational efficiency.

F2. The Planning Division recovers only about 60% of its operational costs resulting in significant staff time going unreimbursed. This shortfall requires the General Fund to subsidize application review.

Recommendations:

R1. By December 31, 2026 the Planning Division should enhance its records management, time-tracking and billing capabilities in collaboration with the City’s IT Division.

R2. By September 30, 2026 the CRD Director should designate a Project Lead to manage software system implementation, testing and release across CRD divisions. This will improve timeliness, on-budget delivery and ensure all user-defined requirements are built appropriately and working efficiently.

2. Cross-Department Coordination

Findings

F3. Coordination between the Planning Division and other City divisions to support an efficient entitlement review process needs to be strengthened. The lack of structured coordination mechanisms reduces accountability and predictability.

F4. The absence of an interdepartmental project tracking system prevents a unified view of active applications. Interdepartmental review timelines are not formally established, resulting in inconsistent turnaround times.

Recommendations

By December 31, 2026, the Planning Division should:

R4. Implement a department-wide project tracking system where status of projects are updated at least bi-weekly or monthly.

R5. Establish formal interdepartmental review timelines for entitlement applications.

R6. Engage with their partner departments to ensure shared ownership of a streamlined entitlement process.

R7. Leverage technology to improve turnaround times and strengthen cross-departmental cooperation.

3. Succession Planning and Workforce Stability

Findings

F5. The City experiences high turnover within the Planning Division and lacks a formal succession planning framework. The lack of succession planning results in gaps in institutional knowledge, and limited cross-training hinders continuity during staff transitions.

Recommendations

By December 31, 2026 the City of Napa should:

R8. Develop and implement a formal succession planning program.

R9. Identify key positions and establish pathways for internal staff development.

R10. Create and maintain comprehensive documentation of core processes.

R11. Implement cross-training across critical functions.

4. Fenced-off Key City Center Properties

Findings

F6. In general, developers may extend entitlements up to three additional times without demonstrating progress totaling 6 years. Repeated extensions allow properties to remain vacant or undeveloped for extended periods.

F7. Entitlement practices may inadvertently incentivize long-term vacancy.

Recommendations

R12. By December 31, 2026 the Planning Division should evaluate entitlement extension policies to promote timely project initiation.

R13. By December 31, 2026 the CRD Director should establish periodic reviews of keystone properties to ensure regular review of undeveloped properties to encourage movement.

R14. By December 31, 2026 City of Napa should evaluate options to accelerate keystone property development.

REQUIRED RESPONSES

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

From the following governing boards within 90 days:

The Napa City Council

INVITED RESPONSES

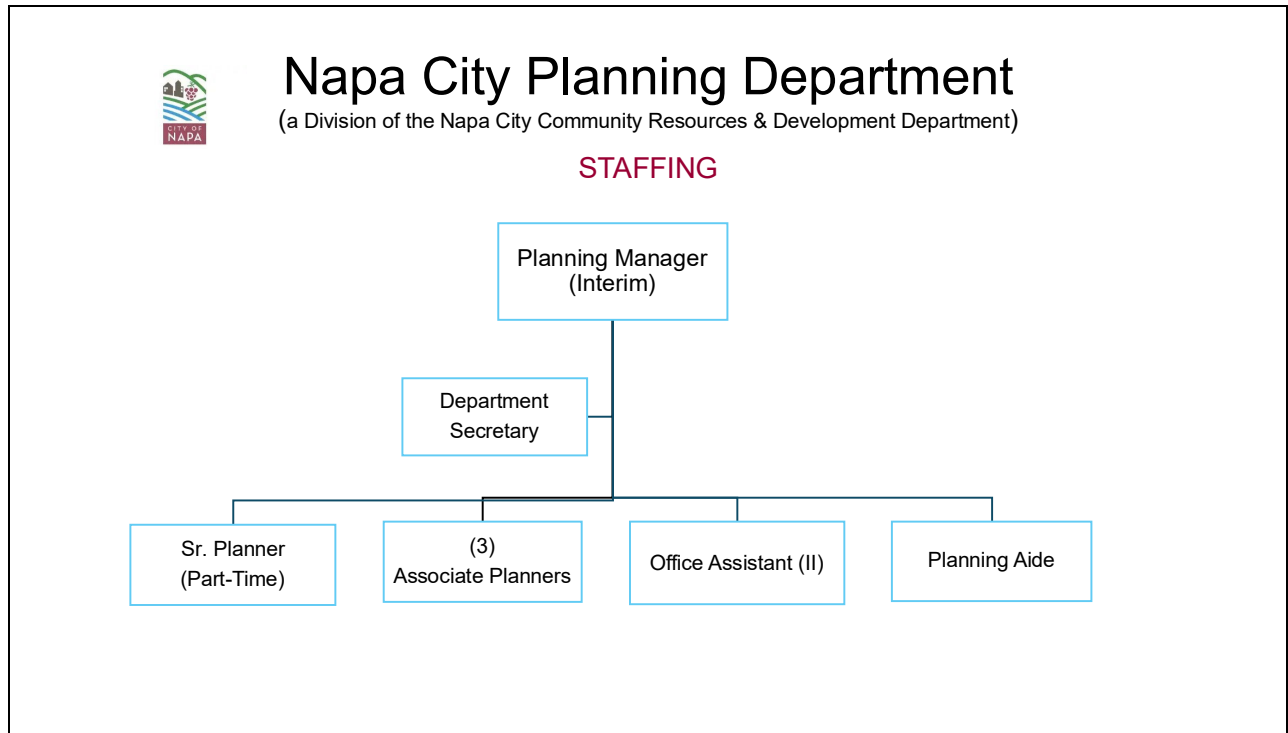
Responses are invited from the following within 90 days:

- City Manager – All Findings and Recommendations.
- Community Resources and Development Director – All Findings and Recommendations.

Reports issued by The Civil Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of The Civil Grand Jury do not contain the name of any person or facts leading to the identity of any person who provides information to The Civil Grand Jury.

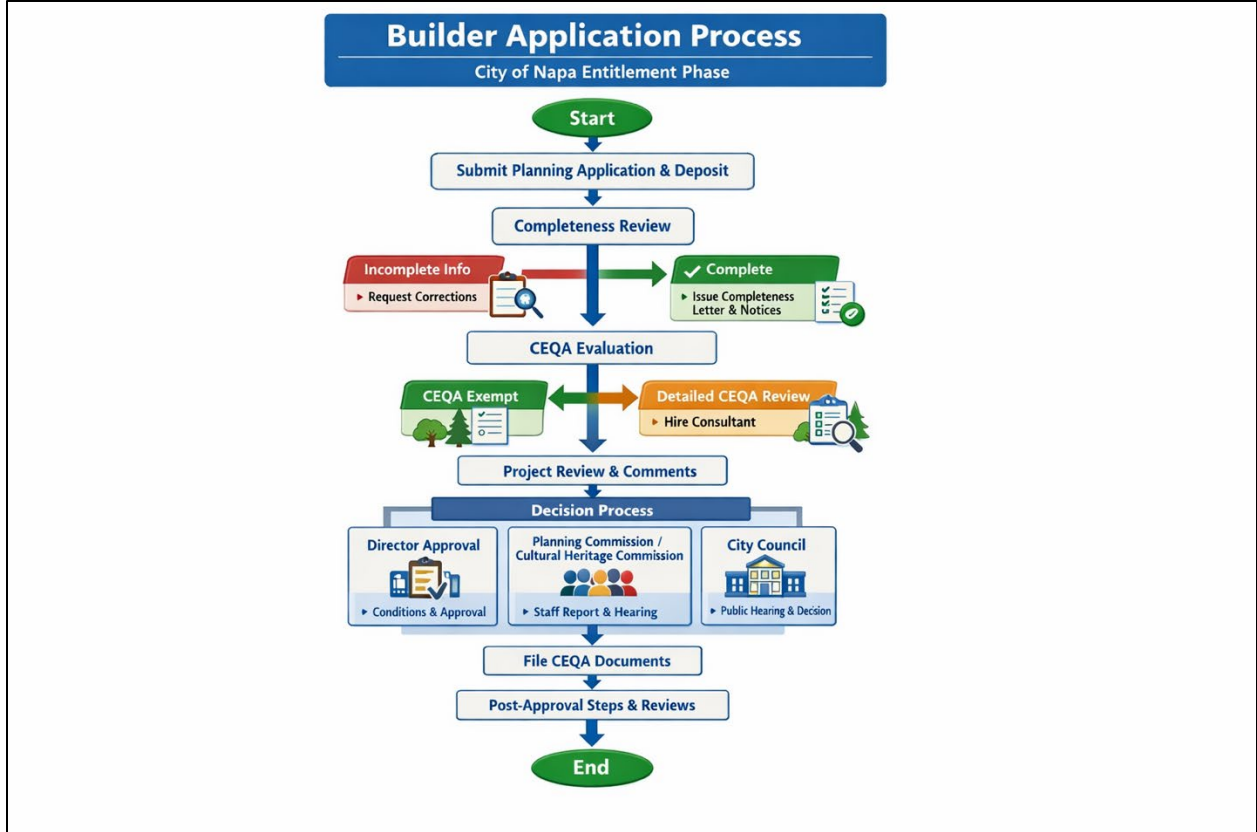
APPENDIX – 1

NAPA CITY PLANNING DIVISION STAFFING



APPENDIX – 2

NAPA CITY PLANNING APPLICATION PROCESS



APPENDIX – 3

NAPA CITY PLANNING BUDGETS

Link to: [Napa City Planning Division Budgets](#)

APPENDIX – 4

ENDNOTES

¹ **California Penal Code §911**

² <https://www.cityofnapa.org/247/Planning-Division>

³ [Napa, CA | Official Website](#)

⁴ <https://www.tylertech.com/solutions/public-administration/civic-services/community-development-solutions>



NAPA COUNTY CIVIL GRAND JURY

2025-2026

FINAL REPORT

June 24, 2026

Lapsed Leadership:

**St. Helena's Problematic Pipes
and Murky Waters**

SUMMARY

The 2025-2026 Napa County Civil Grand Jury investigated complaints of poor water quality in St. Helena and found that the St. Helena Water Enterprise suffers from decades of deferred maintenance, neglect, poor decision-making, and a lack of long-term operational and financial planning - mostly due to the overall lack of effective governance and the failure of City Council leadership. Between 2011-2025, St. Helena's water rates and city taxes were raised significantly with promises to address the aging infrastructure and bring the Water Enterprise back into good working order and financial stability. Instead, the water system as a whole has fallen further into decline.

The Grand Jury examined five specific areas impacting the operation of the St. Helena Water Enterprise and found them all deficient.

Water Rate Studies and Capital Improvement Projects: The Civil Grand Jury analyzed the 2011, 2016, and 2023 water rate studies and found that water rates increased approximately 183% during that time. Even though many of the exact same Capital Improvement Projects related specifically to water infrastructure were cited as justification for the increases in all three studies, several of them have not been funded and/or have not been completed. Therefore, the physical and financial condition of the St. Helena Water Enterprise has continued to deteriorate significantly, leaving its customers with water having taste, odor, and color issues.

Outside Service Area Agreements (OSAAs), Measure H, Proposition 218, and Additional Costs: The Civil Grand Jury reviewed the more than

30 Outside Service Area Agreements (OSAA) for water delivery that exist between St. Helena and a variety of residential and commercial entities located outside the city limits. The St. Helena Water Enterprise incurs significant expenses while delivering water to the OSAA customers without recouping the additional costs. In 2016, St. Helena's City Council changed the fee structure to eliminate differentiated water rates and specific water surcharges, passing those additional costs on to all water ratepayers. With the passing of the Measure H Bond in 2022, OSAA customers reap the benefits from it without the repayment responsibility.

High Turnover, Retention and Recruitment Issues: Since 2011, St. Helena has experienced significantly high rates of turnover on the City Council, in the City Manager's Office, and in the Public Works Department. The high turnover has resulted in the loss of institutional knowledge and created high levels of dysfunction. Coupled with the absence of adequate project management expertise, St. Helena suffers from the inability to problem solve effectively and the inability to plan, oversee, and complete large infrastructure projects.

City Governance Failures: The Civil Grand Jury found that poor decision-making, poor oversight, and poor governance by several terms of the City Council have contributed to the current state of the St. Helena Water Enterprise. While water rates and taxes have increased significantly to fund the necessary repair work on the water system, the City Council has not provided the oversight of city staff and consultants to ensure that the projects promised in the rate studies would and/or could be delivered in a timely manner. Since the revenues were raised, the staff and monies have

not been allocated or spent effectively for the intended approved purposes by the City Council.

The Current State of St. Helena's Water System: Within the last few years, significant investments have been made to update and rehabilitate the Bell Canyon Water Treatment Plant. The Civil Grand Jury verified that water is currently leaving the facility clear, clean, and healthy. Even though good strides have been made in addressing the deferred maintenance and neglect at the Bell Canyon Treatment Plant, water is still arriving to the customer with taste, odor, and color quality issues. Despite working with the Water and Wastewater Advisory Committee, the City Council and city staff still have significant work ahead of them to understand the full scope of the infrastructure problems throughout the entire water system, when the needed repair work can be done, and how much that work will cost.

Findings and Recommendations: The Civil Grand Jury made several findings during their investigation including: (1) water is leaving the Bell Canyon Water Treatment Plant clear, clean, and healthy after recent work but not arriving to the customer that way, (2) the current Capital Improvement Plan does not contain projects dedicated to the rehabilitation of the aged water distribution system, (3) St. Helena lacks an effective system for data collection related to water issues, (4) revenues were raised through water rate increases that were not utilized effectively by the City Council, (5) St. Helena lacks a differential water rate fee structure, (6) OSAs benefit from Measure H without repaying it, and (7) St. Helena suffers from poor governance and a lack of professional project management expertise.

The Civil Grand Jury's findings led to the following recommendations: (1) St. Helena's City Manager should conduct a comprehensive assessment of the water distribution system, (2) St. Helena's City Manager should develop a plan to address the failing water infrastructure, (3) St. Helena's City Manager should expand the use of their data collection system to track water issues, (4) St. Helena's City Council should implement a differential water rate fee structure, and (5) St. Helena's City Council should require its members and Senior City Management Staff to attend governance training in addition to training on the Brown Act.

METHODOLOGY

The Civil Grand Jury interviewed city governmental leadership, city management and line staff, as well as residents and community members. Jury members toured the water facilities to better understand the complexity and severity of the water issues firsthand. Jury members analyzed St. Helena's water rate studies dating 2011 to the present day, as well as reviewed the Capital Improvement Projects cited as justification for the water rate increases. Jury members reviewed the Outside Service Area Agreements (OSAAs) providing water to customers outside the city limits. Lastly, jury members attended community meetings related to St. Helena's water troubles and witnessed how the community interacted with the City Council and City Management Staff.

DISCUSSION

St. Helena – the stats

Napa County has 5 incorporated cities (largest to smallest using the US Census population data estimates from July 2024): the City of Napa with 76,921, the City of American Canyon with 21,742, the City of St. Helena with 5,257, the City of Calistoga with 5,022, and the City of Yountville with 3,280-3,350 (depending on the number of Veteran's Home residents).

Although St. Helena's population decreased approximately 10% between the 2010 and the 2020 US Census, in 2024, the United States government estimated there to be 2,341 separate households within the city limits, but 2,831 actual housing units.

St. Helena provides drinking water to all households and businesses within the city limits and has Outside Service Area Agreements (OSAAs) to provide

water services to residential and commercial customers located outside the city limits. In 2023, single and multiple family residences used about 12% more water overall than commercial entities and city-wide landscaping. (Additional information can be found at [Water & Wastewater Rate Update \(2023\) | St Helena, CA](#))

St. Helena receives drinking water from three sources: the Bell Canyon Reservoir, the Stonebridge wells, and the City of Napa. According to the St. Helena's city records, 26% comes from the Bell Canyon Reservoir, 27% comes from the Stonebridge wells, and 47% comes from the City of Napa. The overall production of water in fiscal year 2024/25 was 1,159 acre-feet (equating to over 377 million gallons) which was an 18% reduction from fiscal year 2023/24. In total, there are nearly 46 miles of water pipes in St. Helena's water delivery system.

(Additional information can be found at [CITY OF ST. HELENA MONTHLY WATER REPORT](#))

The Impetus for this Investigation

The Civil Grand Jury received a complaint filed by a resident of St. Helena regarding the persistent taste, odor, and color problems with their water. The complaint was supported by photographs, news articles, and social media posts. Overall water issues are multifaceted and significant in nature, but due to the Civil Grand Jury's time constraints, the investigation was narrowed in scope. This report focuses on the city leadership failures and how they have affected the St. Helena Water Enterprise negatively since at least 2011.

Additionally, this Civil Grand Jury noted water issues were also investigated by the 2018-2019 Napa County Civil Grand Jury. Refer to <https://www.napa.courts.ca.gov/system/files/gj-18-19-st-helena-small-town-big-city-problems-f.pdf> for additional information.

Gathering Historical Data was Challenging

For more than a decade, St. Helena's water customers have experienced sporadic episodes of taste, odor, and color issues with their water. The issues were believed to be seasonal (mainly in the summer) and caused by higher levels of iron, manganese, and organic material in the water sourced from the Bell Canyon Reservoir. A simple change to the treatment and flushing of the distribution system was usually enough to address the problem and resolve the complaints. That system seemed to work until around 2010 (potentially earlier) when complaints about water quality issues became more prevalent, persistent, and widespread. The issues are now common all year long and seem to be spread throughout the water service areas.

The Civil Grand Jury discovered gathering historical information regarding water quality issues problematic. Until recently, there was no formal process for recording complaints, and thus no system for analyzing the number of complaints received, when complaints were received, the frequency of complaints, the nature of the complaints, the locations of the complaints, and how the complaints were resolved. According to interviews with city staff, complaints were simply written on notes that were passed off to be addressed and then thrown away. With no data for the City Council or

city staff to analyze, it was nearly impossible for them to make informed decisions about how money and resources should be prioritized or allocated. St. Helena began using the Grapevine app in 2023 to capture customer complaints, providing a basic level of data gathering and analysis, however it is still lacking sufficient data to provide a holistic view of the city's targeted problem areas.

Water Rate Studies & Increases and the Capital Improvement Projects used as Justifications

The Civil Grand Jury analyzed St. Helena's 2011, 2016, and 2023 water rate studies and found that the financial and physical condition of the water system and its infrastructure remained in a state of distress despite all the water rate increases that were approved. Across all three water rate studies, the same reasons were used to justify significant rate increases: the same Capital Improvement Projects were cited repeatedly, yet most were never started let alone completed; substantial investments in infrastructure were needed to address decades of deferred maintenance and modernization; revenues needed to be raised to restore debt coverage ratios as required by debtholders; and additional revenues were required to establish healthy financial reserves. The water distribution system (referring to the mains, pipes, and underground infrastructure) was never mentioned specifically in any of the water rate studies even though the distribution system is now believed to be the main source of taste, odor, and color issues.

2011 Water Rate Study

Summary: The Water Rate Study found that the St. Helena Water Enterprise was in a precarious financial state. Its approximate \$2,900,000 in annual revenues did not cover its approximate \$3,800,000 in operating, maintenance, and debt service costs. The insufficient cash in the operating fund necessitated \$1,000,000 to be transferred from the Capital Funds to maintain prudent reserves for the fiscal year 2010/11. The St. Helena Water Enterprise failed to meet its debt covenant, which required net revenues to be at least 1.2 times the annual debt service. There was a significant backlog of projects totaling approximately \$11,500,000 that could not be funded without issuing new debt. Additional debt would most likely have to be issued to fund any projects beyond the 2011/12 fiscal year, although no specific project plans were included in the water rate study. In fact, the City Council made a conscious decision to defer capital improvements and approved a smaller rate increase than recommended, prioritizing debt covenants over long-term infrastructure and deferring maintenance yet again. A quote from the water rate study:

“because of the City’s desire to keep the required water rate increase to the level needed to meet debt covenants, not all the planned capital improvement programs will be funded during the planning period, even with the planned debt issuance. As a result, approximately \$1.1 million of the planned capital improvement program has been deferred beyond the planning period used for this study”.

Rate Increases: Below is a list of the recommended water rate increases and what increases were approved by the City Council.

<u>Recommended</u> <u>Rate Increases</u>	<u>Actual</u> <u>Rate Increases</u>
Fiscal Year 2011/12 - 58%	Fiscal Year 2011/12 - 29%
Fiscal Year 2012/13 - 3%	Fiscal Year 2012/13 - 3.0%
Fiscal Year 2013/14 - 3%	Fiscal Year 2013/14 - 2.5%
Fiscal Year 2014/15 - 3%	Fiscal Year 2014/15 - 2.6%
Fiscal Year 2015/16 - 3%	Fiscal Year 2015/16 - 2.6%

Justifications for increases: The reasons for necessitating water rate increases include several items. Rate hikes were needed to cover the increased costs of treated water purchased from the City of Napa to supplement St. Helena’s local supplies. Increases were needed to cover the debt service coverage requirements and to support the issuance of \$7,500,000 in new debt acquired for projects, including the removal of the Upper Reservoir Dam costing \$3,100,000. Additional monies were needed to raise the minimum operating reserve target from 15% to 25% to handle revenue volatility. Increases would also provide monies to support hiring new staff including a Water Conservation Specialist and a shared Assistant Engineer.

Capital Improvement Projects: Between the 2011/12 to 2015/16 fiscal years, 29 Capital Improvement Projects were completed (many requiring several years and 2 rate studies). Although minimal progress was made on the “priority” projects listed in the 2011 water rate study, some maintenance and repairs were made to the pumps and to the Bell Canyon Water

Treatment Plant. No Capital Improvement Projects were dedicated to the water distribution system.

Additional information is listed in the Appendix.

2016 Water Rate Study

Summary: The 2016 Water Rate Study found that once again, the St. Helena Water Enterprise was in a critical financial position. The operating fund's unrestricted net position was expected to drop from roughly \$5,000,000 in the 2016/17 fiscal year to approximately \$525,000 by the end of the 2017/18 fiscal year. Without water rate increases, the water fund was projected to have a negative balance of -\$11,100,000 by the end of the 2022/23 fiscal year. St. Helena would fail to meet its bond requirement of a 1.2x minimum debt service coverage ratio, with only 0.72 coverage projected for the 2017/18 fiscal year. The St. Helena Water Enterprise pulled monies from reserves to cover operations and project costs because water rates at the time did not include funding for depreciation or system rehabilitation.

Rate Increases: Below is a list of the recommended water rate increases and what increases were approved by the City Council.

Recommended Rate Increases	Actual Rate Increases
Fiscal Year 2016/17 - 63%	Fiscal Year 2016/17 -25%
Fiscal Year 2017/18 - 15%	Fiscal Year 2017/18 - 3.7%
Fiscal Year 2018/19 - 4%	Fiscal Year 2018/19 - 3.7%
Fiscal Year 2019/20 - 4%	Fiscal Year 2019/20 - 3.7%
Fiscal Year 2020/21 - 4%	Fiscal Year 2020/21 - 3.7%

Justifications for increases: The reasons for water rate increases include several items. Rate hikes were needed to cover operational sufficiency in operating and maintaining water related expenses without relying on St. Helena’s General Fund or other services. Additional monies were needed to fund Capital Improvement Projects such as the removal of the York Creek Dam, the removal of the Upper Reservoir Dam, and the Bell Canyon Intake Tower Replacement. Increases were also needed to establish a healthy cash reserve (targeting 6 to 12 months of operating expenses) to fund emergencies and unanticipated capital needs.

Capital Improvement Projects: Between the 2016/17 to 2021/22 fiscal years, 18 Capital Improvement Projects were completed (many requiring several years and 2 rate studies). About 30% progress was made on the “priority” projects listed in the 2016 water rate study, although no Capital Improvement Projects were dedicated to the distribution system.

Additional information is listed in the Appendix.

2023 Water Rate Study

Summary (additional information at

<https://www.cityofsthelena.gov/386/Water-Wastewater-Rate-Update>): In

August 2023, The City Manager declared a “State of Emergency” for St. Helena’s Water System. The St. Helena Water Enterprise required immediate revenue adjustment to remain viable. Without changes, the St. Helena Water Enterprise faced depleted reserves. With 2023 water rates, fund balances were projected to be in the negatives each year. The St. Helena Water Enterprise was also projected to fall below the minimum debt coverage requirements as well as the target reserve policies. Existing revenues were insufficient to cover the rising costs of operations, maintenance, and the significant increase in planned capital reinvestments.

Rate Increases: Below is a list of the recommended water rate increases and what increases were approved by the City Council.

Recommended Rate Increases	Actual Rate Increases
Fiscal Year 2023/24- 28%	Fiscal Year 2023/24- 28%
Fiscal Year 2024/25 - 8%	Fiscal Year 2024/25 - 8%
Fiscal Year 2025/26 - 8%	Fiscal Year 2025/26 - 8%
Fiscal Year 2026/27 - 8%	Fiscal Year 2026/27 - 8%
Fiscal Year 2027/28 - 8%	Fiscal Year 2027/28 - 8%

Justifications for increases: The additional revenues are designated to fund several critical areas of the St. Helena Water Enterprise’s operations.

Funding significantly expands the Capital Improvement Plan, which averages approximately \$6,700,000 per year, a huge increase from the historical average of \$1,000,000 annually. Several projects account for the bulk of the \$35,800,000 in planned spending over the study's 5-year period (2023-2028) including:

- The Napa Intertie Pipeline & Pump Station project is needed to ensure water reliability. It involves the replacement of the intertie pipeline and the construction of a new pump station. The projected cost for the project is approximately \$10,000,000.
- The Water Treatment Plant Transmission Main project involves the replacement of the main line carrying water from the treatment plant. The projected cost for the project is approximately \$9,100,000.
- The Bell Canyon Intake Tower Replacement project involves replacing the intake infrastructure at the reservoir for the cost of approximately \$3,700,000.
- The Spring Mountain Pressure Zone (the Holmes Tank) project includes a variety of upgrades needed to support the local pressure zone. The projected cost was approximately \$3,600,000.
- The system-wide transition to Smart Water Meters, an advanced metering infrastructure to improve billing accuracy and leak detection, is projected to cost approximately \$2,200,000. About 5% of the meters will be replaced annually over a 20-year period.

Capital Improvement Projects: It is unclear what if any Capital Improvement Projects have been completed since the implementation of the 2023 water rate study as it covers fiscal years 2023/24 to 2027/28.

However, once again, no Capital Improvement Projects were dedicated specifically to the distribution system.

Additional information is listed in the Appendix

Based on the Civil Grand Jury's overall analysis of the water rate studies and the approved Capital Improvement Projects, disturbing trends were revealed. The St. Helena Water Enterprise has been in a constant state of physical decline and financial distress, despite the large water rate increases between 2011-2025. The totality of costs related to the deferred and/or delayed improvement projects continue to rise significantly without any timeline of completion, creating a constant state of financial instability. The identified and approved infrastructure projects lack professional project plans and project management. The Public Works staff lack sufficient resources and project management expertise to perform all the needed work identified by each water rate study.

As a result, the Civil Grand Jury found that water rates in St. Helena have climbed steadily since 2011 with little to no progress made in addressing any of the water quality issues. In fact, water rates have increased approximately 183% in that time, resulting in St. Helena residents and St. Helena Water Enterprise customers paying exorbitantly higher rates for water than in neighboring communities.

Outside Water Agreements, Measure H, and Additional Costs

While investigating the water problems in St. Helena, the Civil Grand Jury also investigated where water is dispersed and how that might affect the overall financial picture for the St. Helena Water Enterprise.

In addition to providing water services to properties within the city limits, the St. Helena Water Enterprise provides water to many properties outside of the city limits. More than 30 Outside Service Area Agreements (OSAAs), dating back to 1991, exist between the St. Helena Water Enterprise and a variety of residential and commercial entities. The OSAA's outline several items: the user's yearly allocation and type of water, their use restrictions for the water provided, the water rate charged, as well as the penalties for surpassing their allocation levels. OSAA water user allocations total over 302.06 acre-feet per year or approximately 98,602,495 gallons (1 ac-ft = 325,850.943 gal). Based on the OSAA's, annual allocations equate to approximately 24% of St. Helena's total annual water consumption. The full listing of the OSAA's is available online at: [Water Agreements | St Helena, CA](#)

Although city staff actively monitors annual water consumption for compliance per the OSAAs, there is no monitoring for prohibited usage (using treated water for irrigation as an example).

In addition, Civil Grand Jury members toured the Holmes tank, a legacy concrete water tank that requires significant overhead and expense to maintain. The Holmes tank supports only 6 households; all located at high elevation. The Civil Grand Jury noted that the additional costs are not being recovered from the 6 households serviced by the Holmes tank simply because the fee structure is not in place to do so. Instead, the additional fees are absorbed by all water customers.

Currently, St. Helena only has one base rate for water regardless of the type of user or the location of the user, while other cities in Napa County differentiate between residential users and commercial users, inside city limits users and outside city limits users, or the elevation of the user. Prior to 2016, St. Helena water rates included additional surcharges to offset the costs of pumping water to OSAA users such as Meadowood Resort, a development outside of St. Helena's city limits. Following the 2016 water rate study, elected officials at the time decided to eliminate the surcharge(s), leaving all ratepayers (inside and outside the city limits) to absorb the entirety of those additional costs. Other jurisdictions in Napa County, such as the City of Napa, include a water rate surcharge for pumping water to elevated properties.

Another important item affecting the financial health of St. Helena's water services is Measure H, passed by the voters within the city limits of St. Helena on June 7, 2022. Measure H allowed up to \$19,150,000 in bonds to be issued. The purpose of the bonds is to pay for the much-needed Capital Improvements for St. Helena's aging and/or failing water, stormwater and sewage systems. Repayment of the bonds equate to \$14.82 per \$100,000 of the assessed property value annually for every parcel within St. Helena's city limits. Measure H bond repayment property tax does not apply to those properties located outside of St. Helena's city limits. Therefore, customers represented by the OSAA's which are provided water, stormwater, or sewage services

directly benefit from Measure H without the financial responsibility for its repayment.

Additional information on Measure H can found at: [Measure H | St Helena, CA](#)

Additional information on Proposition 218 can be found at: [Understanding Proposition 218](#)

High Turnover, Retention and Recruitment Issues Across the Board

The Civil Grand Jury discovered that between 2011-2026, the 5-member City Council experienced a high level of turnover. During that time, 19 different individuals have served on St. Helena's City Council spanning the 8 election cycles. *Refer to Table 1 in the Appendix for a complete list of the Council Persons.* Many reasons contributed to the turnover, including ethics complaints made to the Fair Practices Commission (which were later dismissed), a mid-term resignation, a closely contested mayoral defeat, a near recall of a sitting mayor, and a shifted balance of power after the 2024 election. In fact, the most recent example saw a City Council member expelled due to lack of attendance in April 2026.

In a city of approximately 5,200 people, personal relationships, local business ties, and individual personalities matter enormously. Multiple council members have faced conflict-of-interest scrutiny tied to their personal and business interests. Ultimately, dysfunctional conflict has hindered if not totally impeded much-needed progress in St. Helena, especially for the St. Helena Water Enterprise.

City Council instability feeds city staff instability and vice versa. St. Helena has had 8 City Managers (3 of which have been interim) and 5 Public Works Directors during the same time frame. *Refer to Table 2 in the Appendix for a complete list.* Currently, approximately 60% of the Public Works employees have less than 5 years on the job, and 100% of the St. Helena Water Enterprise employees have less than a 3-year tenure. At the time of this report's publication, the city is in the process of hiring another City Manager.

Based on interviews with staff members, there are significant challenges with recruiting and retaining employees as well. While the high cost of living in the Napa Valley and the high commuting costs from outside the area are concerning to employees, there is also a lot of competition with other nearby municipalities that pay a more competitive salary and provide better career opportunities. All of which are problematic for St. Helena's financial bottom line.

High turnover and council dysfunction has contributed to the loss of institutional knowledge, the lack of long-term financial planning, and the lack of oversight, decision-making, and leadership required for the existing Capital Improvement Plan related to the St. Helena Water Enterprise.

The Civil Grand Jury recognizes that it is difficult to go from being a resident one day to a city's decision and policy maker the next day after being elected as a council member. The entire city bears responsibility for its decisions; residents for electing the council members, council members for hiring management staff, and so on. There are shared accountability and oversight needs across the board, and everyone should acknowledge that St. Helena's water issues have passed through many hands between

2011-2025; no one person, department, or entity is the sole culpable party. Dysfunctional conflict has prohibited much-needed progress.

Governance Challenges

One of the most important roles of the City Council and its advisory boards and committees is to ensure the long-term financial stability of the city and all its enterprises. To do this requires rigorous oversight and the active involvement of the city council.

The Civil Grand Jury's investigation revealed that St. Helena's City Council has failed to govern effectively for decades. Several examples of poor governance, poor decision-making, and poor oversight include the lack of long-term planning for and execution of water infrastructure maintenance, the lack of progress made on key water related Capital Improvement Projects, and using the same Capital Improvement Projects over and over in the 2011, 2016, and 2023 water rate studies without ensuring progress. The City Council's lack of governance and oversight has resulted in significantly higher costs to replace aging infrastructure. Additionally, The Blackberg Group found similar governance lapses in its recently released Efficiency and Business Transformation Study. More information about the study can be found on the [City of St. Helena's website at https://www.cityofsthelena.gov/972/Efficiency-and-Business-Transformation-S.](https://www.cityofsthelena.gov/972/Efficiency-and-Business-Transformation-S)

In 2016, the City Council changed the water rate fee structures and cancelled water assessment and surcharges to OSAA customers and

customers in high elevation locations without having a plan in place to recoup the lost revenues.

Another theme the Civil Grand Jury uncovered during its investigation was the lack of project management expertise within St. Helena's Public Works Department and City Manager's Office. The lack of project management was evident to jurors when schedules and/or project plans for many key infrastructure jobs could not be found. Staff with no training or previous project management expertise were delegated responsibilities and oversight erroneously.

The Grand Jury also learned that other than required ethics and legal training (known as the Brown Act) there is no additional training offered to or required by City Council members or advisory board members.

In St. Helena, being a member of the City Council is considered a "part-time" job. The reality is that being a City Council member is a significant investment of time and energy, and the Civil Grand Jury believes that City Council members would be more effective and potentially feel more supported by their constituents if additional training was made available, such as [League of California Cities Mayors and Council Members Academy](#).

Current State of the St. Helena Water Enterprise

Civil Grand Jury members conducted an extensive tour of all the St. Helena Water Enterprise facilities. Jurors found that significant investments have been made within the last few years at the Bell Canyon Treatment Plant to begin addressing the deferred maintenance. Monitors with automated alerts and notifications were installed. Filters and filter media were

replaced. A Supervisory Control and Data Acquisition (SCADA for short) system was installed with new upgrades. Remote operations capabilities were installed to enable staff to respond more effectively and faster to changing water conditions. Improved water sampling and data gathering methods were implemented to help identify and address water taste, odor, and color issues more efficiently. Overall, there has been an improvement in the water treatment process as a whole at the Bell Canyon Treatment Plant. As a result of all the recent improvements, jurors verified that treated water is currently leaving the plant clean and clear, with no obvious signs of taste, odor, or color issues.

It is important to note that no recent improvements have been made to either the Stonebridge Wells or the Rutherford pump station.

Over the past two-plus years, city staff and consultants have worked closely with the recently established water and wastewater advisory committee and the City Council to develop a strategy and approach for addressing the decades of deferred maintenance. Collectively, they believe that the dominant source of the water taste, odor, and color issues currently rest with the decades of debris, silt, and sediment that has accumulated in the water distribution system, meaning the mains and pipes that transport water to customers. If water is leaving the treatment plant clean but arrives to the customer with problems; their analysis seems reasonable to the Civil Grand Jury.

Beyond proposed testing, city staff and consultants have no clear plan on how to attack the debris and sediment located throughout the distribution system. They are exploring options that range from finding a way to remove the sediment from the mains and pipes to replacing them

altogether. To date, city staff has made no assessment to understand the scope and severity of the infrastructure issues, thus there is no understanding of what money, time, and resources are needed to address the issues with the water distribution system long-term.

Furthermore, the Civil Grand Jury analyzed the fiscal years 2026 – 2030 Capital Improvement Plans that were provided. According to the analysis, over \$51,000,000 of Capital Improvement Projects are identified as “water priorities” for fiscal years 2026-2030, although none of them are dedicated to addressing the aged water distribution system, and nearly 39% of the funding has not yet been identified to pay for the planned projects.

Supporting information is located in the appendix.

FINDINGS

F1: Despite the water rate increases of approximately 183% between 2011-2025, earmarked to address water quality and infrastructure issues, St. Helena’s water is still being delivered to customers with taste, odor, and color quality issues. After recent improvements and upgrades to the Bell Canyon Water Treatment Plant, water currently leaves it clear, clean, and healthy; therefore, city staff and consultants now blame decades of silt, debris, and sediment build-up in the water distribution system for the continued water quality troubles.

F2: The current Capital Improvement Plan approved and implemented by St. Helena’s City Council contains no projects dedicated specifically to the long-term rehabilitation of the aged water distribution system. To date, there is no plan in place to address the water distribution system problems. No formal assessment has been done to determine the scope and the

severity of the issues in total. Without it, the repair costs and the timeline for repairs remain unknown.

F3: St. Helena lacks a thorough and effective system for analyzing citizen water complaints. The Grapevine app implemented in 2023 provides only a basic level of data gathering and analysis. Therefore, City Council and city management staff do not have sufficient information to make informed decisions about how money and resources should be prioritized or allocated to resolve water issues.

F4: The water rate studies between 2011-2025 each cited the same core justifications for the need to raise water rates: declining infrastructure, deferred maintenance, depleted reserves, and debt covenant non-compliance. Even though additional revenues were raised, they were not utilized effectively by St. Helena's City Council. Therefore, most of the justifications for water rate increases have not been met.

F5: The St. Helena City Council changed the St. Helena Water Enterprise's fee structure in 2016 to implement a single water rate regardless of the location or type of customer. Prior to 2016, water rates included surcharges to offset the cost of pumping water to customers in elevated areas or customers outside the city limits. Therefore, the St. Helena Water Enterprise currently passes the additional costs on to all water ratepayers rather than those benefiting outside the city limits.

F6: St. Helena has more than 30 Outside Service Area Agreements (OSAAs), representing approximately 24% of St. Helena's total annual water consumption. The OSAA customers benefit from the Measure H

funded infrastructure improvements but bear no responsibility for the repayment of the bonds because they are not located within the city limits.

F7: St. Helena suffers from a lack of governance, poor oversight, ineffective management by the City Council and City Manager, and a lack of professional project management expertise. As a result, St. Helena's Water Enterprise remains in a similar state of physical decline and financial distress today as it was in 2011.

RECOMMENDATIONS

R1: The Napa County Civil Grand Jury recommends that the St. Helena City Manager should conduct a comprehensive assessment of the water distribution system's condition that includes the mains, the pipes, and the related infrastructure, and that the findings be reported to the St. Helena City Council by September 30, 2026.

R2: The Napa County Civil Grand Jury recommends that the St. Helena City Manager should develop a plan to address the failing water distribution system that includes the Capital Improvement Projects needed, the cost of said projects, the funding source(s) for said projects, and the timeline for completion of said projects; and that the plan be presented to the St. Helena City Council by December 31, 2026.

R3: The Napa County Civil Grand Jury recommends that the St. Helena City Manager should expand the use of the Grapevine app (or equivalent) complaint system to collect more in depth information and provide the St. Helena City Council and the Water and Wastewater Advisory Committee with quarterly data reports on water complaints to minimally include

complaint type, location, frequency, severity, and resolution status by September 30, 2026.

R4: The Napa County Civil Grand Jury recommends that St. Helena's City Council should implement a water rate fee structure with differentiated rates based on the customer's location (inside city limits vs. outside city limits) and the customer's type (residential vs. commercial), as well as assessing surcharges for customers in elevated locations and surcharges for the Outside Service Area Agreement customers benefiting from Measure H by September 30, 2026.

R5: The Napa County Civil Grand Jury recommends that the St. Helena City Council require its members and St. Helena City Senior Management Staff attend governance training (in addition to Brown Act training) within the first quarter of their tenure after election by December 31, 2026. Training opportunities such as [Mayors and Council Members Academy](#) can be found at [The League of California Cities](#).

REQUIRED RESPONSES

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

- **St. Helena City Council** – all Findings and Recommendations within 90 days

INVITED RESPONSES

The following responses are invited from the following responsible parties:

- **St. Helena City Manager** – All Findings and Recommendations within 90 days
- **St. Helena Public Works Director** – Findings: F1, F2, F3; Recommendations R1, R2, R3 within 90 days

Reports issued by The Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of The Civil Grand Jury do not contain the name of any person or facts leading to the identity of any person who provides information to The Civil Grand Jury.

APPENDIX

Below is a summary of justifications cited for the water rate increases in the 2011, 2016, and 2023 water rate studies, followed by list of delivered Capital Improvement Projects funded from revenues raised by the water rate increases.

2011 WATER RATE STUDY

Justifications for water rate increases:

- City of Napa Water Purchases: Covering the increased costs of purchasing treated water to supplement local supplies (pp. 3, 5).
- Debt Obligations: Meeting existing 1.2 times the debt service coverage requirements and supporting the issuance of \$7,500,000 in new debt for capital projects (pp. 4, 15).
- Infrastructure Projects: Funding critical capital improvements, most notably the removal of the Upper Reservoir Dam (estimated at \$3.1 million) (pp. 4, 14).
- Operating Reserves: Increasing the minimum operating reserve target from 15% to 25% to handle revenue volatility (pp. 11, 21).
- New Staffing: Supporting new positions, including a Water Conservation Specialist and a shared Assistant Engineer (p. 14).

Capital Improvement Projects Delivered:

- W01 - Bale Slough
- W-02 - Tank 2 - PAX Mixer
- W-08 - Pratt Avenue Transmission Bridge
- W-12 - Community Drive

- W-13 - Howell Mountain Road
- W-28 - Rutherford
- W31 - Water Treatment Plant Upgrades
- W-37 - Corp Yard Improvements
- W-38 - Machinery & Equipment
- W-42 - Supervisory Control and Data Acquisition (SCADA)
- W-57 - WTP Worker Housing
- W-62 - Water Valve Replacement
- W-67 - Charter Oak Water Main Replacement
- W-69 - Stonebridge Wells Upgrades
- W-83 - Tank 1A Design/Construction
- W-84 - Bell Canyon Intake Mid-Valve Repair
- W-88 - Surge Protection at LSWTP & SBW
- W-89 - Fixed Gas Chlorine Analyzer
- W-98 - Toilet Retrofit Program
- W-99 - Radio Repeater/Infrastructure
- W76-01 - Distribution Vehicle Replacement Program
- W76-02 - Treatment Vehicle Replacement Program
- W-102 - Well Filter Rehab
- W-103 - Stonebridge Well Roof
- W-104 - 412 Crystal Springs Road Roof

2016 WATER RATE STUDY

Justifications for water rate increases:

The additional revenue generated by these increases is intended to fund four primary areas:

- **Operational Sufficiency:** Meeting all annual operating and maintenance expenses without relying on the City's General Fund or other services (like parks and libraries). (pp. 7, 16)
- **Capital Improvement Projects:** Funding a \$13.8 million five-year capital plan (part of a larger \$20.8 million ten-year plan), including projects like the York Creek dam removal and Bell Canyon Reservoir improvements. (pp. 16, 41)
- **The following projects represent the most significant investments planned for the water system (p. 41):**
 - **York Creek Dam Removal & Creek Restoration:** This project is partially funded by \$1.78 million in grants and \$2.7 million in existing bonds (p. 16).
 - **Bell Canyon Intake Tower Replacement:** A critical infrastructure project estimated at \$2.1 million, assumed to be financed by new debt (pp. 16, 43).
 - **Upper Reservoir Dam Removal & Mitigation:** Identified as a key project for the system (p. 12).
 - **Pump Station Upgrades:** General upgrades to system pump stations, estimated at \$212,514 and funded by new debt (pp. 16, 43).

- Tank Rehabilitation & Upgrades: Including the Meadowood Tank upgrades (partially grant-funded), Holmes Tank upgrades, and Tank 2 rehabilitation (p. 41).
- Operational Infrastructure: Replacing the Bell House valve and installing Bell Canyon Creek flow measurement devices (p. 41).
- Reservoir Improvements: General improvements and spill containment at Bell Canyon Reservoir and the Stonebridge Well (p. 12).
- Water Meter Replacement Program: A recurring program to replace approximately 5% of the system's meters annually (roughly 125 meters per year) (p. 44).
- Debt Service & Compliance: Restoring the required 1.20x debt service coverage ratio and supporting the issuance of \$2.7 million in new debt for pump station upgrades and the Bell Canyon intake tower replacement. (pp. 16, 42)
- Reserve Building: Establishing a healthy cash reserve (targeting 6 to 12 months of operating expenses) to fund emergencies and unanticipated capital needs. (pp. 16, 44)
- Meter Replacement: Implementing a new routine program to replace roughly 5% of the system's meters annually over a 20-year cycle. (pp. 13, 43)

Capital Improvement Projects Delivered:

- W18-119 - Bell Canyon Spillway Stability Assessment
- 301-W-26 - Upper York Creek Ecosystem Restoration
- 302-W-27 - Meadowood Tank Upgrades

- 308-W-93 - Sludge Handling Program
- 0315-W18-112 - Spill Containment at Bell Creek
- 0317-W18-114 - Spill Containment at SB Wells
- 0319-W18-116 - Update GIs Maps of Water System
- 0320-W18-117 - Water Master Plan Update
- 03005-W-110 - Rutherford Pump Upgrade
- 03002-W-106 - Pump Station Upgrades
- 03018-W18-115 - Remove Restrictions - Rutherford Pump Station
- 03024-W20-01 - Bell Canyon Spillway Repairs
- 03025-W21-01 - Kearney and Andrea Water Main Replacement

2023 WATER RATE STUDY

Justifications for water rate increases:

The additional revenue is designated to fund several critical areas of the water utility's operations (p. 13):

- Major Capital Reinvestment: Funding a significantly expanded Capital Improvement Plan averaging \$6.7 million per year—a massive jump from the historical average of \$1 million annually (pp. 13, 28). The following projects account for the bulk of the \$35.8 million in planned spending over the five-year rate period:
- Napa Intertie Pipeline & Pump Station: A critical project to ensure water reliability, involving the replacement of the intertie pipeline and the construction of a new pump station (approx. \$10 million total). (pp. 42-43)

- Water Treatment Plant (WTP) Transmission Main: A major replacement of the main line carrying water from the treatment plant (approx. \$9.1 million). (p. 43)
- Bell Canyon Intake Tower Replacement: Replacing the aging intake infrastructure at the reservoir (approx. \$3.7 million). (pp. 42-43)
- Spring Mountain Pressure Zone (Holmes Tank): Significant improvements and upgrades to the Holmes Tank to support the local pressure zone (approx. \$3.6 million). (p. 43)
- Smart Water Meters: A system-wide transition to advanced metering infrastructure to improve billing accuracy and leak detection (approx. \$2.2 million). (p. 43)
- Tank 2 Rehabilitation: Repairs and upgrades to the existing storage tank at the Lower Reservoir (approx. \$1 million). (p. 43)
- Operational Inflation: Offsetting rising costs for personnel (salaries/benefits), utilities, and supplies (pp. 13, 35).
- Debt Service: Meeting the 1.20x coverage ratio required to issue approximately \$33.5 million in new revenue bonds for large-scale infrastructure projects (pp. 16, 44).
- Reserve Replenishment: Restoring cash reserves that have been used to mitigate previous drought impacts and unexpected operating costs (pp. 15, 28).

Capital Improvement Projects Delivered

- Installing monitors with automated alerts and notifications at Bell Canyon Treatment Plant
- Replacing filters and filter media at Bell Canyon

- Installing remote operation capabilities at Bell Canyon to enable staff to respond better and faster to changing water conditions.
- SCADA system installation and upgrades at Bell Canyon.
- Improved water sampling and data gathering to help identify and address water taste, odor, and color issues more efficiently.

Fiscal Years 2026 - 2030 Capital Improvement Projects with funding sources (based on sources)

PROJECT #	PROJECT NAME	FUNDING SOURCES			TOTALS
		BONDS	OTHER	UNIDENTIFIED	
W18-113	Water System SCADA Improvements	\$533,327			\$533,327
W18-118	Replace Mains <6" in diameter	\$1,014,902			\$1,014,902
W24-01	Water Distribution Fire Flow Improvements	\$156,000			\$156,000
W24-02	Napa Intertie Pump Station Replacement	\$1,287,571		\$9,309,649	\$10,597,220
W24-04	Retrofit/Deploy SMART water meters	\$5,000			\$5,000
W24-11	Bell Canyon Dam DSOD Analysis/Improvements	\$2,867,684			\$2,867,684
W24-12	Disinfection by products Project	\$770,713			\$770,713
W25-01	Napa Intertie Pipeline Replacement	\$6,092,269			\$6,092,269
W25-02	Water Treatment Plant Transmission Main Replacement	\$7,400,084			\$7,400,084
W26-01	Water Treatment Plant Microgrid/SCADA Upgrades		\$867,000	\$1,633,000	\$2,500,000
W26-03	Water Treatment Plant Modular Homes		\$150,000		\$150,000
W29-01	Water Treatment Plant Rehabilitation			\$8,400,000	\$8,400,000

W29-02	PWRR-1 yr 6-10 Water Main Annual Replacement Program Allowance			\$485,967	\$485,967
W85	Bell Canyon Valve House Replacement	\$937,955			\$937,955
W86	Spring Mountain Pressure Zone Improvements (Holmes Tank Upgrade)	\$3,615,968			\$3,615,968
W-101	Tank 2 Rehabilitation	\$534,775			\$534,775
W-108	Lower Reservoir Rehab	\$50,000			\$50,000
W-109	Bell Canyon Intake Tower Replacement	\$5,000,000			\$5,000,000
		\$30,266,248	\$1,017,000	\$19,828,616	\$51,111,864

Table 1. City Council, City Manager, Public Works Director Turnover Background (2010-2026)

<u>Year</u>	<u>City Manager</u>	<u>Public Works Director</u>
2010	Mary Neilan	Unknown
2011	Mary Neilan → Gary Broad	Unknown
2012	Gary Broad	John Ferons
2013	Gary Broad	John Ferons (resigned Oct.)
2014	Gary Broad → Jennifer Phillips (Aug.)	Contract/interim (Jan.–Oct.) → Steve Palmer (Oct.)
2015	Jennifer Phillips	Steve Palmer

2016	Jennifer Phillips	Steve Palmer → Erica Ahmann Smithies (Sept., as Asst. Dir.)
2017	Phillips → Larry Pennell, interim (Jan.) → Mark Prestwich (July)	Steve Palmer (left Mar.) → Erica Ahmann Smithies, promoted (Apr.)
2018	Mark Prestwich	Erica Ahmann Smithies
2019	Mark Prestwich	Erica Ahmann Smithies
2020	Mark Prestwich	Erica Ahmann Smithies
2021	Prestwich → Jim McCann, interim (Apr.)	Smithies (left Mar.) → Joe Leach
2022	Jim McCann, interim → Anil Comelo (July)	Joe Leach
2023	Anil Comelo	Joe Leach
2024	Anil Comelo	Joe Leach
2025	Anil Comelo	Joe Leach
2026	Anil Comelo (left Apr.) → Jim McCann, acting	Joe Leach

Table 2. St. Helena City Council Turnover Analysis (2010–2026)

#	<u>Member</u>	<u>Role/Tenure</u>	<u>How Departed</u>
1	Del Britton	Mayor, through ~2013	Died in office
2	Caterina Sanchez	Council, ~2008–2012	End of term
3	Sharon Crull	Council, 2008–2016	Did not seek re-election
4	Ann Nevero	Appointed Mayor after Britton's death; lost 2014 race	Lost to Galbraith
5	Greg Pitts	Council, through at least 2014	Did not seek re-election
6	Mario Sculatti	Council, ~2010–2014	Lost or didn't run in 2014
7	Peter White	Council, ~2010–2014	Lost or didn't run in 2014
8	Alan Galbraith	Mayor, 2014–2018	Conceded after losing to Ellsworth by 41 votes
9	Paul Dohring	Council 2014–2022, Mayor 2022–present	Currently serving

10	Geoff Ellsworth	Council ~2016–2018, Mayor 2018–2022	Did not seek re-election
11	Lester Hardy	Council, elected 2018; served ~2 yrs	Departed mid-term
12	Eric Hall	Council, elected 2018; lost 2022 mayoral race; served to Jan 2023	End of term
13	Anna Chouteau	Council 2018–2022, re- elected 2022; resigned to join Rep. Mike Thompson's staff	Resigned Dec 2024
14	Patrick Kenealy	Council, ~2020–2024	Did not run in 2024
15	Billy Summers	Council, elected 2022– present	Removed from office for lack of attendance on April 27, 2026
16	Michelle Deasy	Council, elected Nov 2024–present	Currently serving
17	Aaron Barak	Council, elected Nov 2024–present	Currently serving
18	Kate Spadarotto	Appointed Jan 2025 to fill Chouteau's seat	Currently serving

19	Scott Diaz	Appointed May 2026 to fill Summers' seat	Currently serving
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2025-2026 NAPA COUNTY CIVIL GRAND JURY STATEMENT ON CORRECTIONS FACILITIES

METHODOLOGY

Pursuant to Penal Code §919(b), the Napa County Civil Grand Jury is required to conduct an annual review of the condition and management of public prisons within the county. In 2022, the California Attorney General clarified that “public prisons” include local detention facilities such as county and city jails (Opinion No. 18-103).

Napa County operates two detention facilities:

- Napa County Jail: A newly constructed adult facility managed by the Napa County Department of Corrections, rather than by the Sheriff as in all other California counties.
- Juvenile Justice Center: A youth facility operated by the Napa County Probation Department.

While an inquiry is mandated, Penal Code §939.9 stipulates that a formal report requires a full investigation with verified findings. As no such findings were identified, the Civil Grand Jury opted not to conduct a full investigation.

FACILITY OVERVIEWS

Napa County Jail

On September 17, 2025, the full Civil Grand Jury toured the new 304-bed facility, which opened on August 20, 2025, replacing the previous downtown jail damaged in the 2014 earthquake. Located at 2210 Napa-Vallejo Highway, the jail features a design that promotes normalization through natural light, acoustic control, and calming visuals. Other features include:

- A 28-bed medical and mental health unit
- Multiple 32-bed housing pods
- Intake/release zones, clinic, food and laundry services
- Visitation areas and administrative offices

On March 2, 2026, the Civil Grand Jury Detention Centers Committee interviewed the Interim Director of Corrections which included the following topics:

- Population and Capacity
- Staffing and Overtime
- In-Custody Deaths and Critical Incidents
- Medical and Mental Health Services
- Use of Force and Internal Accountability
- Grievance System
- Conditions of Confinement
- Fiscal Oversight
- Transparency and Public Accountability

The Committee noted the smooth and seamless movement of inmates and operational transition from the old downtown jail facility to the new Napa County Jail.

Juvenile Justice Center

On November 12, 2025, the Civil Grand Jury Detention Centers Committee members toured the facility, which has a 50-youth capacity. At the time of the visit, there were 17 juveniles in the traditional juvenile hall (short-term) unit and 3 juveniles in the Skyline (extended-stay) unit.

Programs include:

- Multi-Disciplinary Team (MDT): Collaborative treatment planning

- Behavioral Management System (BMS): Promotes accountability and provides mental health support
- Garden Program: Under development, focused on teamwork and horticultural skills
- Thinking For a Change (T4C): Focuses on changing criminogenic thinking among youth

Committee members noted the facility's rehabilitative approach over punitive practices.

CONCLUSION

The Napa County Civil Grand Jury met its statutory obligation by conducting site visits and engaging with facility leadership

2025-2026 Napa County Civil Grand Jury Response Requirements and Compliance Report

Prepared in accordance with California Penal Code §933 and 933.05.

I. Introduction

This report offers a comprehensive overview of the statutory requirements pertaining to responses to Civil Grand Jury reports. It further presents a summary of compliance with responses submitted by designated Napa County agencies and governing bodies. The intent of this document is to promote transparency, demonstrate accountability, and ensure adherence to the timelines mandated under California Penal Code §§933 and 933.05.

II. Statutory Framework

A. Penal Code §933 – Response Requirements

Under California Penal Code §933, public agencies, governing bodies, and elected county officials are required to formally respond to findings and recommendations issued by the Civil Grand Jury. The statute specifies that these responses must be submitted within established timeframes, and that each response must address all findings and recommendations for which a reply is requested. Responses are posted on the Court's website at <https://www.napa.courts.ca.gov/general-information/grand-jury/grand-jury-reports-responses>.

B. Penal Code §933.05 Format and Content

Responses

Penal Code §933.05 outlines the format and permissible content of responses to Civil Grand Jury reports. Each required respondent has complied with Penal Code §933 as their responses to each finding stated whether they agreed or disagreed wholly or partially with the necessary explanation. In response to each recommendation, agencies must indicate one of the following:

- The recommendation has been implemented.
- The recommendation has not yet been implemented but will be implemented, with a projected timeline provided.
- The recommendation requires further analysis, accompanied by an explanation and a completion date that does not exceed six months from the report's issuance.
- The recommendation will not be implemented, with the reasons for this decision clearly stated.

These statutory requirements are designed to ensure that official responses are uniform, clear, and complete.

III. Response Deadlines

The deadlines for submitting responses to the Civil Grand Jury are strictly defined by statute:

- Within 60 days: Responses from elected county officers and agency heads are required within sixty days of the Grand Jury's final report issuance.
- Within 90 days: Responses from the governing bodies of public agencies, such as boards, councils, and commissions, must be submitted within ninety days.

These deadlines are calculated from the date on which the Civil Grand Jury issues its final report. Each required respondent has complied with Penal Code §933.05 as their responses to each recommendation stated whether they agreed or disagreed with the necessary explanation within the statutory deadlines.

IV. Accountability and Public Disclosure

In accordance with Penal Code §§933 and 933.05, all required responses become part of the public record. This process serves to enhance government transparency, enabling the public, the Board of Supervisors, and the Civil Grand Jury to review the responsiveness and performance of county agencies and elected officials. Compliance with these statutes reflects the county's commitment to accountable and responsible governance.

V. Compliance Summary

NVUSD

The report was issued on March 21, 2025, and a response was submitted on June 6, 2025. A total of 77 days elapsed between issuance and submission. This response fell within the 90-day statutory requirement, with 13 days remaining prior to the deadline. Accordingly, the submission is compliant.

Recommendation: R1 has been implemented.

Recommendation: R2 has not yet been implemented.

Pope Valley

The report was issued on April 23, 2025, and a response was submitted on June 23, 2025, resulting in a 61-day lapse. This response was submitted within the applicable 90-day requirement, leaving 29 days remaining. The submission is compliant.

Recommendation: R1, R2, R5, and R6 are being implemented.

Recommendation: R3 and R4 have been implemented.

Elections

The report was issued on April 23, 2025, with a response submitted on June 23, 2025, totaling 61 days elapsed, considered compliant as not materially exceeding the deadline.

Recommendation: R1 has been implemented.

Recommendation: R2 and R4 have partially been implemented.

Recommendation: R3, not implemented, not warranted or reasonable.

Use Permits

The report was issued on May 29, 2025, and a response was submitted on August 20, 2025. A total of 83 days elapsed between issuance and response, within the applicable 90-day requirement. The submission is compliant.

Recommendation: R1 has not been implemented, not warranted or reasonable.

Recommendation: R2 has been implemented.

Recommendation: R3 and R4 require further analysis

Recommendation: R5 was partially implemented.

Detentions

The report was issued on May 29, 2025. No response was required for this matter; therefore, compliance status is not applicable.

IV. Additional Notes

- The detention facilities are not required to provide a response during this reporting cycle, as specified by Civil Grand Jury directives.
- All other agencies reviewed have complied with their mandated response timelines under Penal Code §§933 and 933.05.

VII. Conclusion

This compliance report confirms that the majority of responding agencies met statutory deadlines for Civil Grand Jury report responses. Continued adherence to Penal Code §§933 and 933.05 remains essential for maintaining transparency, public trust, and effective oversight of county operations. Agencies are strongly encouraged to ensure timely submissions and consistent application of the statutory response formats, thereby supporting both legal compliance and best practices in public administration.