



FILED

JUN 29 2020

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

June 24, 2020

Honorable Mark Boessenecker
Presiding Judge
The Superior Court of the State of California
County of Napa
Criminal Courthouse
1111 Third Street
Napa, CA 94559

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JUN 29 2020

**Napa Superior Court
Court Executive Office**

Subject: City of Napa Response to the 2019-2020 Napa County Grand Jury Final Report entitled "Review of Responses to the 2018-2019 Grand Jury Reports"

Dear Judge Boessenecker:

The City of Napa has received and carefully reviewed the 2019-2020 Napa County Grand Jury Report entitled "Review of Responses to the 2018-2019 Grand Jury Reports" dated May 25, 2020 (hereinafter "Grand Jury Report"). Pursuant to California Penal Code Sections 933 and 933.05, this letter documents the City's responses to each finding in the Grand Jury Report (hereinafter "City Response"). The City Response was prepared by City staff, including the Utilities Director and Public Works Director, and presented to the City Council for their consideration. At the public meeting on June 23, 2020, the City Council approved this City Response, and directed the City Manager to submit this City Response on behalf of the City Council.

City Responses

Grand Jury Report Finding 1 – *With two exceptions, all the responses to the 2018-2019 Napa County Grand Jury reports were completed and returned within the required timeframe: The due date for the report "Napa County Water Quality—It's a Matter of Taste," was September 14, 2019; however, the City of Napa did not respond until September 17, 2019.*

City Response – The City of Napa disagrees partially with this finding.

The City's response to the report was approved by City Council on August 20, 2019. The City's response letter to the Honorable Elia Ortiz is dated August 21, 2019. The City acknowledges the "Filed" stamp by the Clerk of the Superior Court

notes September 17, 2019, and therefore the Grand Jury has used this date for the official response. The City used regular US Mail service to submit the response letter; therefore, there is no official documentation of when the City mailed the letter. However, the attached email records indicate the following related to the City's response letter:

- August 21, 2019; 6:11 PM – The Utilities Department Secretary, Sharon Quilon, provided an email copy of the letter to City Staff that were copied on the original letter.
- August 21, 2019; 6:27 PM – The Utilities Department Deputy Director, Joy Eldredge, emailed a copy of the letter to the Foreperson and another member of the 2018-2019 Grand Jury.
- August 22, 2019; 8:41 AM – The Foreperson of the 2018-2019 Grand Jury, David Rouatt, acknowledged the response letter by noting "Very comprehensive response."

The City diligently took efforts to provide a timely response. The City regrets any unforeseen delays that occurred to the letter between August 21, 2019 and September 17, 2019. The City will take steps with future response letters to document the mailing date.

Grand Jury Report Finding 2 – *The response to Recommendation 3 in the report "City of Napa Traffic Signal Synchronization Study" indicates the recommendation will be implemented in the future but does not specify a date, as required by Penal Code Section 933.05 (b), Item 2.*

City Response – The City of Napa disagrees with this finding.

Recommendation #3 in the report titled "City of Napa Traffic Signal Synchronization Study" states, "The City Council and the PWD resume negotiations with Caltrans for the release of control of the traffic signals located on Redwood Road/Trancas Street at the intersections of Highway 29 by March 31, 2020."

The City resumed negotiations prior to March 31, 2020, as specified in the recommendation and City response. The City sent a letter to Caltrans on February 24, 2020 and received an email back from Einar Acuna, Caltrans District 4 Senior Traffic Engineer for Signal Operations on April 10, 2020 and a letter from Tony Tavares, Caltrans District 4 Director on April 21, 2020. The responses from Caltrans specify the technical reports and analysis that the City must perform for Caltrans to further evaluate and process the request for the City to assume control of the signal operations of the Caltrans signal system on Redwood Road/Trancas Street.

The City has contacted a qualified Traffic Engineering Consultant to obtain a proposal to complete the engineering studies required by Caltrans to further the goal of Caltrans releasing the traffic signal operations to the City. The cost for the engineering work will be \$70,000 and the scope of work includes traffic counts, traffic analysis, and development of future traffic projections. The work cannot begin until traffic volumes within the City are no longer impacted by the COVID-19 emergency and schools and other businesses have reopened to normal capacity. The City has identified the need for hardware upgrades for the signal system detection and communication systems. Considering signal upgrades, professional services and staff time, City staff has estimated the total cost to fully implement this work to meet Caltrans requirements to be approximately \$200,000 to \$250,000. The costs for this work have not been included within the fiscal year 20/21 budget due to the City's fiscal emergency and will be reexamined for priority within future budgets.

The City of Napa thanks the Grand Jury for its service during the 2019-2020 term. If you or the Grand Jury Foreperson have any questions regarding the City's response, please contact me.

Respectfully Submitted,



Steve Potter, City Manager

cc: Michael Barrett, City Attorney
Julie Lucido, Public Works Director
Phil Brun, Utilities Director