

NAPA COUNTY GRAND JURY REPORT 1999-2000
P.O. Box 5397
Napa, California 94581

June 27, 2000

The Honorable Richard Bennett
Presiding Judge
Napa County Superior Court
825 Brown Street
Napa, CA 94559

Dear Judge Bennett:

It gives me great pleasure to be able to submit the Final Report of the 1999-2000 Napa County Grand Jury.

This report is the product of the effort of nineteen citizens from within Napa County. The group comes from a diverse collection of backgrounds, interests and experience. Those selected to serve on the Grand Jury completed their task with a high degree of dedication and commitment. They served with professionalism and distinction. The Jurors contributed a year of hard work to assist the County and other local government agencies. To provide this assistance, they employed an investigative process and concluded by recommending ways to improve government operations. The perceived interests and concerns of citizens were an inspiring motivation for the Grand Jurors. The achievements embodied in this report represent the collective efforts of this dedicated group.

As you know, the Grand Jury is one of the few public institutions in the State that is not subject to influence by elected officials, special interests or law enforcement agencies. The Grand Jury is an independent body that itself determines whether it will undertake an investigation, the scope of that inquiry, and the findings and recommendations that result. This situation gives the Grand Jury a unique perspective from which to evaluate local government. In the pursuit of our duties, those of us on this year's Grand Jury learned a great deal about local government. We found, almost always, that it is being administered by capable and conscientious public officials and employees who deserve more credit than the public generally gives them. There are, of course, services and functions, which could benefit from improvements. This report identifies some, and offers some ideas to help government be more efficient and better serve the needs of the public.

In addition to accomplishing its basic mission, the 1999-2000 Grand Jury arranged for some changes in budget provisions for future Napa County Grand Juries. The Grand Jury received valued assistance in this effort from Court and County officials. These changes will enable succeeding Grand Juries to be more effective in meeting their mandated requirements.

The Grand Jury wishes to thank the many government officials and staff members who responded openly and courteously to our inquiries. We also appreciate the citizens who sent us letters and provided other assistance that helped us to meet our objectives. We would not have been able to complete our task without all of these very worthy contributions.

The individual members of the 1999-2000 Grand Jury demonstrated a combination of independent thinking and adherence to principle that was super imposed on a powerful sense of group unity and common purpose. They worked very effectively as a team. I consider it an honor and a privilege to have been provided with the opportunity to work with this fine group.

Sincerely,

[Signed original on file]

Edwin M. Scarboro
Foreperson

1999-2000 NAPA COUNTY GRAND JURY MEMBERS

Edwin M. Scarboro*, Napa, Foreperson

Susan Branson*, Napa, Foreperson Pro Tempore

Myrna Abramowicz, Napa, Secretary

Dennis Troedson*, Napa, Sergeant-at-Arms

Frederick Berry, Jr.*, St. Helena

Patricia Ann Butler, Napa

James Carney, St. Helena

Nancy A. Courtney, Berryessa

Katherine DeSante, St. Helena

Barbara Hohlwein, Napa

Rita J. Jameson, Napa

Douglas C. Kay*, Yountville

Kim J. McPherson, Napa

Stan J. Milstone, Napa

Walter Niedermeyer, Yountville

Gene C. Piscia, Napa

Chap Riese, Napa

Charlotte Stark, Napa

Tim Wilkens, Napa

*Members who have served two years on the Grand Jury

SUMMARY AND OVERVIEW

INTRODUCTION

The 1999-2000 Napa County Grand Jury has released its end-of-term report detailing the completed investigations of 18 Napa County agencies and municipalities.

Comments by the 1999-2000 Grand Jury on agency responses to the 1998-1999 Grand Jury Report were published in a separate Interim Report in April of this year.

COMMON THEMES

As the Grand Jury did its work during the past year, it found that there are problems that are common to more than one of our local government agencies:

- **Personnel Shortages:** Many agencies report shortages of personnel. This is especially noteworthy in occupational fields where employees need special education, training or experience, such as accountants, social workers, computer technicians, law enforcement personnel, etc. Recruiting is difficult, and is aggravated by the increasing cost of housing in the Napa Valley.
- **Lack of Bilingual/Bicultural Personnel:** There is a serious shortage of public employees who are able to communicate effectively with that increasing portion of Napa residents who have not yet become proficient in the English language and who may have cultural values that are different.
- **Security:** The Grand Jury found security problems in court buildings, in the Public Defender's office, and at the Napa Valley College. Previous Grand Juries have found security problems at other facilities in the County.
- **Public Information:** Government needs to communicate better with the public. This seems to be true in many agencies, but was particularly noted in this report regarding the Board of Supervisors and the Flood Control Project.
- **Fragmented Control of Toxic and Hazardous Materials:** Multiple agencies control the use of toxic and hazardous materials. There is a view that the Napa County Department of Environmental Management is supposed to have primary authority, but the Agricultural Commissioner (also a Napa County agency) regulates the use of pesticides and insecticides by commercial pest control operators and by agriculture. Additionally, the Mosquito Abatement District applies pesticides and herbicides throughout the County. Citizens are often confused as to which agency to contact for permits and assistance.

FINDINGS AND RECOMMENDATIONS SELECTED FOR SPECIAL EMPHASIS

As part of the overview of this report, the Grand Jury highlights the following findings and recommendations:

- **Agricultural Commissioner:** The Grand Jury is concerned over the lack of communication between the County Office of the Agricultural Commissioner, the Department of Environmental Management and the Board of Supervisors. The Board was not made aware of a State report that was critical of the Napa County Certified Unified Program Agency (CUPA). The criticism concerned the implementation of the agency's program to control toxic substances and hazardous materials.
- **Board of Supervisors:** It is difficult for many citizens to attend the weekly Board of Supervisors meetings held on Tuesday mornings. The Board should hold at least one Board meeting each month during evening hours. Conflicting district and commission meeting times should be rescheduled.
- **Health and Human Services:** Major billing problems concerning Medicare, Medicaid, and Medi-Cal have been identified in the Health and Human Services Agency. As a result of a federal government investigation, Napa County has been required to enter into a five year Integrity Agreement with the United States Office of Inspector General. Implementation of this Integrity Agreement is mandatory in order for Health and Human Services to remain in compliance. In addition, the agency's Fiscal Division should be provided with continuing education and training to stay current in a constantly changing regulatory environment.
- **Public Defender:** Legal hearings conducted by the Office of the Public Defender at the Napa State Hospital should be moved to another location because of safety and security problems.
- **City of Calistoga:** Inconsistencies of leadership in several departments have had a negative impact on the effectiveness of government in the City of Calistoga. Of particular concern is the City's lack of a full time financial director. In the interest of improving managerial oversight, the Grand Jury is calling for the creation of this position and appointment to it as soon as possible.
- **Napa Valley College:** The Grand Jury is seriously concerned about security and safety at the Napa Valley College campus due to inadequate, nonfunctional and poor illumination lighting.
- **Mosquito Abatement District:** The Napa County Mosquito Abatement District is constrained by a fixed allocation of Napa County General Fund revenues. It will need supplemental funding to cover the cost of additional employees needed to service the expanded wetlands that will be created by development of the Flood Management Control District.

MOSQUITO ABATEMENT DISTRICT

BACKGROUND

The Napa County Mosquito Abatement District (MAD) was formed in 1925 under the Mosquito Abatement Act of 1915. Residents near the marshes and along the Napa River and its tributaries were plagued by mosquitoes, some carrying malaria and encephalitis. Diseases are transmitted by female mosquitoes, which suck blood from and infected person or animal and then pass the infection on when they sting a subsequent victim.

Recently, the incidence of mosquito borne diseases in humans in Napa County has been minimal. The last known case of malaria was in 1939. Nevertheless, the mosquito borne encephalitis virus was detected in Napa County in 1995 and was found in Vallejo in 1999. Dog heartworm is prevalent throughout the wooded areas of the county. Mosquito borne diseases are on the rise in the U.S. as more Americans visit overseas infested areas and as immigrants and visitors from overseas carry diseases to this country.

Napa County MAD is an independent joint powers authority governed by a board of six members, appointed one each by the four cities, the one town, and the County. The staff consists of a manager and three other full time employees, all of whom are considered to be "field" staff. There is also a half time secretary.

Four methods are used to control mosquitoes: chemical, biological, physical, and community education about prevention. In addition to planned abatement activities, the district also responds to requests from citizens for assistance in controlling other insect problems. With the threat to Napa Valley vineyards of the Glassy Winged Sharpshooter, the MAD would be one of the responding agencies. The four field employees cover the entire county, a total area of 796 square miles. During the peak season or crisis situations the staff must put in considerable overtime.

BUDGETARY INFORMATION

By law the MAD is allocated a specified portion of county general revenues. For 1999-2000 this is 0.3619%, resulting in a Budget of:

Revenues:	Property tax	\$425,000	
	Other	25,000	
Expenses:			\$450,000
			\$480,370

PROCEDURES

The Grand Jury attended board meetings, interviewed the Manager, studied information and made on site inspections. Additional contacts were made with the Napa Valley Flood Control District, the Napa County Auditor/Controller's office, and the California Department of Fish and Game.

FINDING 1

The wetlands within Napa County will be greatly enlarged by the Flood Management Control Project, thereby increasing the need for mosquito abatement procedures. During construction, the project will be under the control of the U.S. Army Corps of Engineers. After construction, it will ultimately be under the control of the State of California Department of Fish and Game. Napa County MAD must be assured access to the properties in order to protect the population from mosquito borne diseases.

RECOMMENDATION 1

The Grand Jury recommends that MAD obtain authority to enter Flood Management Control Project lands to perform mosquito abatement.

RESPONSE REQUIRED FROM

Manager, Napa County Mosquito Abatement District
Director, Napa County Flood Control District

FINDING 2

Napa County MAD has functioned for 75 years as an independent entity. It is constrained, however, by the limited funds available under its fixed allocation from general funds, which are, in turn, constrained by Proposition 13 limitations. With only four field employees, Napa County MAD will be unable to cover all its anticipated territory and provide an adequate level of service. Of the eight Bay Area Mosquito districts, Napa County MAD serves the third largest area, but has the smallest tax base. The Marin/Sonoma district, a 1000 square mile area, had revenues of \$4.0 million in 1998-1999. Contra Costa County Mosquito and Vector Control District serves a slightly smaller area than Napa County with a budget of \$2.8 million. These other counties supplement the fixed property tax allocation with service charges, benefit assessments, and special taxes.

RECOMMENDATION 2

The Grand Jury recommends an evaluation of the need for supplemental funding to service the additional areas of wetlands. The Mosquito Abatement District and Napa County should work together to find a solution.

RESPONSE REQUIRED FROM

Manager, Napa County Mosquito Abatement District
Napa County Board of Supervisors