

City of Calistoga

Staff Report

TO: Honorable Mayor and City Council Members
FROM: James C. McCann, City Manager
DATE: May 6, 2008
SUBJECT: Response to the 2007/2008 Grand Jury Report

APPROVAL FOR FORWARDING:


 James C. McCann, City Manager

1
 2 **ISSUE:** To authorize a response to the 2007/2008 Grand Jury Report with respect to the
 3 Napa Valley Housing Authority and the Farmworker Housing Camp Improvement
 4 Projects and the Drug Abuse Resistance Education (D.A.R.E.) Program.
 5

6 **RECOMMENDATION:** Authorize the response.
 7

8 **DISCUSSION:** The 2007/2008 Napa County Grand Jury has issued their report in a
 9 series of documents this year. City Council has already reviewed and authorized
 10 response to the Report focused on Fire Services. Two additional reports have been
 11 issued recently. One focused on the difficulties surrounding improvement to the
 12 Farmworker Housing Camps and the involvement of the Napa Valley Housing Authority.
 13 The other recently released report focuses on the Drug Abuse and Resistance Education
 14 (D.A.R.E) Program throughout the Valley. The penal code requires that a response be
 15 provided to the recommendations contained in the report issued by the Grand Jury.
 16

17 Napa Valley Housing Authority/Farmworker Camps

18 The City Council is familiar with the events surrounding the renovation of the Mondavi
 19 and Calistoga Farmworker Housing Camps. Essentially, the Napa Valley Housing
 20 Authority undertook much needed renovation projects for these two County serving
 21 residential camps. A series of project errors lead to increased project costs for both
 22 camps. Funding for these changes and increased project costs was inappropriately
 23 secured by Housing Authority staff from the City of Napa.
 24

25 The Grand Jury's report finds that substantial improvement to the Farmworker Housing
 26 facilities resulted from the projects and that significantly improved living environments
 27 have resulted. The Report also finds that although inappropriate steps were taken to
 28 secure funding and a number of errors occurred in the management and oversight of the
 29 projects by involved City of Napa, Housing Authority and County staff, no individuals
 30 benefited financially from the effort nor were contracting law violations observed. The
 31 Grand Jury's Report is most critical of the role of the various staff in the process as well
 32 as offering criticism of Board Members for lack of proper oversight.
 33

34 All of the jurisdictions in the County were represented on the Housing Authority Board as
35 well as a separate Oversight Committee. The Grand Jury Report requires a response
36 from the City of Calistoga on one specific item:

37
38 Recommendation 6

39 *"Agreements to which local governmental agencies are parties not contained false*
40 *statements in the recitals."*

41
42 Staff fully agrees with this recommendation and notes that great care is taken in the
43 drafting of our Staff Reports, Resolutions, and Agreements to ensure that the basis for
44 recommendations and decisions are clearly articulated and that facts are correctly
45 presented for Council action. The Grand Jury's reference in this case relates to the
46 Settlement Agreement which was executed by all member agencies to reconcile the
47 outstanding costs related to the camp improvements. The specific recital in the
48 Agreement to which the Grand Jury refers in their recommendation was at the time of the
49 adoption and execution of the Settlement Agreement believed to be true to the parties to
50 the Agreement at the time of the signing.

51
52 Drug Abuse Resistance Education (D.A.R.E) Program

53 The Grand Jury investigated the change in the D.A.R.E program throughout Napa
54 County. The Grand Jury noted that this program has been terminated throughout the
55 County and suggests that the program or a similar type of program should be reinstated
56 in the public schools. Unfortunately, members of the Grand Jury did not speak with City
57 staff prior to the release of their report with respect to the D.A.R.E program or their
58 findings as it relates to Calistoga. In fact, the City of Calistoga and the Calistoga Joint
59 Unified School District did cease the D.A.R.E program in 2003 after a 7 year continuous
60 effort. However, the City and the District have had a continuous similar program which
61 remains quite robust, active, and effective today providing worthwhile and effective
62 education and services. The attached memorandum from Chief Mills outlines our
63 successful efforts with regard to the formal D.A.R.E program over the years and the
64 improved program which has been provided in a cooperative fashion between the City
65 and the School District for the past 8 years providing important drug abuse avoidance
66 education to the youth of Calistoga.

67
68 The attached draft letter to the Presiding Judges will respond to the Grand Jury's
69 recommendations noting that Calistoga has continued a program similar to the D.A.R.E
70 education program continuously for the benefit of Calistoga youth.

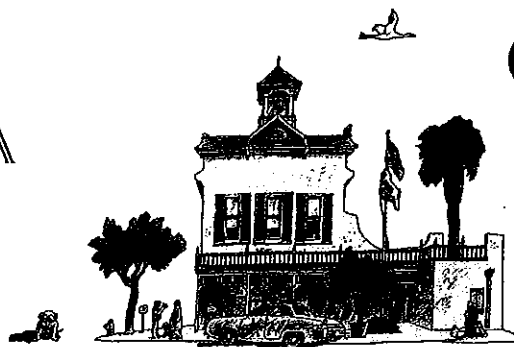
71
72 **FISCAL IMPACT:** None.

73
74 **ATTACHMENTS:**

- 75
76 1. Draft letters to the Napa County presiding judges.
77 2. Grand Jury Reports previously provided to Council.

CITY OF CALISTOGA

1232 Washington Street • Calistoga, CA 94515
707.942.2800



May 6, 2008

Honorable Francisca P. Tischer
Honorable Raymond Guadagni
Presiding Judges 2007/2008
Superior Court of the State of California County of Napa
825 Brown Street
Napa, CA 94559

RE: Grand Jury Report 2007/2008 Napa Valley Housing Authority/Farmworker
Housing Centers

Dear Judges Tischer and Guadagni:

The City of Calistoga has received and reviewed the above referenced Grand Jury Report and pursuant to the provisions of the California Penal Code offers the following response to the recommendations contained therein.

Recommendation 6:

The Grand Jury recommends that: "Agreements to which local government agencies are parties not contain false statements in the recitals."

Response:

The City of Calistoga agrees with this statement and recommendation. It should be noted however that the City's action to authorize the Settlement Agreement containing the recital to which the Grand Jury refers was based upon the City Council's understanding that the facts contained in the recital were true.

Please note that the City of Calistoga, its staff, and decision makers strive for the highest level of integrity and we endeavor to accurately reflect the basis for decisions and facts accurately through Staff Reports, Resolutions, Recitals, Agreements and Statements.

The City of Calistoga thanks the Grand Jury for its good efforts in investigation and constructive observations and recommendations for improvement in our government affairs

Sincerely,

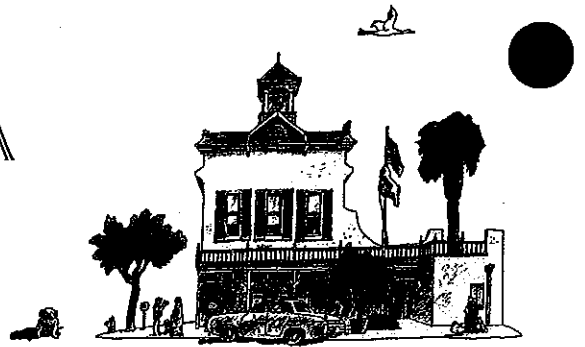
Jack Gingles
Mayor

James C. McCann
City Manager

cc: File
Correspondence

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Honorable Francisca P. Tischer
Honorable Raymond Guadagni
Presiding Judges 2007/2008
Superior Court of the State of California County of Napa
825 Brown Street
Napa, CA 94559

RE: Grand Jury Report 2007/2008 D.A.R.E. Program

Dear Judges Tischér and Guadagni:

The City of Calistoga has received and reviewed the above referenced Grand Jury Report and pursuant to the provisions of the California Penal Code offers the following response to the recommendations contained therein.

In response to the Grand Jury's findings and recommendations, the City of Calistoga agrees wholeheartedly in the value of drug abuse prevention education. The City of Calistoga has been involved in such efforts with our young people with the Calistoga Joint Unified School District and with other public, private, and non-profit organizations for many years. The City of Calistoga actively participated in the D.A.R.E. program through our cooperation and partnership with our School District between 1996 and 2003. We did however cease the formal D.A.R.E program and substituted it with a superior program to better satisfy our local conditions.

Since 2000 the City of Calistoga Police Department has provided a focused and highly successful Juvenile Diversion Program in coordination with Calistoga/St. Helena Boys and Girls Club and our School District. This program provides many of the same programs and education topics covered by the D.A.R.E program but goes much farther and provides greater outreach and services. I refer you to the attached memorandum from Jonathan Mills, Calistoga Chief of Police, which outlines in more detail our history with the D.A.R.E program and our more recent success through the partnership with our School District to provide the Juvenile Diversion Program.

The City of Calistoga sincerely appreciates the efforts of the Grand Jury to identify success in government efforts and areas for improvement. We also appreciate the opportunity to bring this locally successful program, which benefits the Calistoga youth, to your attention.

Sincerely,

Jack Gingles
Mayor

James C. McCann
City Manager

Jonathan Mills
Chief of Police

cc: File
Correspondence

CALISTOGA POLICE DEPARTMENT MEMORANDUM

DATE: April 22, 2008
TO: Jim McCann – City Manager
FROM: Jonathan Mills – Chief of Police
RE: 2008 Napa County Grand Jury Report on D.A.R.E.

In response to the 2008 Napa County Grand Jury report on D.A.R.E., I have prepared this memorandum with information on the Calistoga Police Department's activity in regards to youth services. The Grand Jury report has stated that although there is no evidence to support that D.A.R.E. reduces drug, alcohol, or tobacco use, or that it prevents violence, the benefit of the program is that it increases familiarity and comfort between students and members of the police. Therefore the Grand Jury recommends that the public schools of Calistoga re-institute the D.A.R.E. program for the 2008-2009 school year.

The City of Calistoga ran the D.A.R.E. program in the elementary school from approximately 1996 to 2003. During this time the traditional D.A.R.E. curriculum was presented to 6th grade children for 16 weeks during the school year by a uniformed police officer. Beginning in 2000 the City of Calistoga moved from following the D.A.R.E. program to implementing a Juvenile Diversion Program as a measure to improve outreach to youth.

The Juvenile Diversion Program exists as an opportunity for the Police Department to intervene when a youth has been identified as being at risk of getting into trouble. A child so identified who has committed a minor offense can be put on diversion instead of formal probation. Diversion consists of a voluntary contract between the child, parents and the Police Department. The contract includes behavioral, academic and counseling components. The Juvenile Diversion Officer meets with the youth weekly throughout the 6 month term of the contract. When successful, the offense for which the youth was diverted is expunged.

The Juvenile Diversion Officer spends on average 16 to 24 hours a week on Calistoga School campuses.

The goal of the Juvenile Diversion Program is to help guide youth from making bad or wrong choices in future life and to develop within them the strength and life skills necessary to make good choices. The Juvenile Diversion Officer is a youth case manager from the Boys and Girls Club of Saint Helena and Calistoga. The Juvenile Diversion Officer is contracted from the Boys and Girls Club to work as a representative of the

Calistoga Police Department at both the Calistoga Elementary School and the Calistoga Junior/Senior High School. The cost of this program is \$25,000 annually.

In the Elementary School the Juvenile Diversion Officer teaches the Second Step Program to 5th and 6th graders. This program is recognized by the Department of Education, U.S. Department of Health and Human Services - Substance Abuse and Mental Health Services Administration, the Office of Juvenile Justice and Delinquency Prevention, and the Collaborative for Academic, Social and Emotional Learning. The program focuses on teaching empathy, anger management, personal safety, and bullying. The Second Step program is consistent with the stated goals of the Juvenile Diversion Program.

The Juvenile Diversion Officer visits the Junior/Senior High School to monitor youth on diversion contracts and to conduct intervention when referred by school officials, parents or other youth. Intervention issues range from classroom disruption, fighting/bullying, sexual inappropriateness and poor respect for parents and authority. So far this school year the Juvenile Diversion Officer has so served 41 children in Calistoga High School.

In my opinion, the Juvenile Diversion Program successfully integrates the Police Department with educational and preventative programs in our Calistoga schools. The on-campus presence of a the Juvenile Diversion Officer, a representative of the Calistoga Police Department, for 16 to 24 hours a week is well beyond what a D.A.R.E. officer would spend at a school.