

# CONTINUITY REPORT

## REQUESTED AND INVITED RESPONSES RECEIVED TO PORTIONS OF THE CIVIL GRAND JURY REPORT OF 2016-2017

Reports responded to:

- Montague City Council
- Siskiyou County Public Library System
- Siskiyou County Public Law Library
- New Yreka City Police Department
- Child Protective Services (Invited responses only - Clarification on written report is outlined)

Pursuant to Penal Code 933.05, government entities may be requested or invited to respond to the findings and recommendations of a civil grand jury. It is the duty of the Civil Grand Jury to inform the public of those responses and whether they were submitted in a timely manner.

If you would like additional information on the reports herein referred to, please see the 2016-2017 Civil Grand Jury Report on the County of Siskiyou website at [www.co.siskiyou.ca.us](http://www.co.siskiyou.ca.us).

For ease of reading, Findings are indicated by the letter F followed by its operative number, i.e., F1 for Finding number 1. Recommendations are delineated in the same manner, i.e., R1 for Recommendation number 1 and so forth.

### MONTAGUE CITY COUNCIL

**Summary:** The Grand Jury received complaints containing a multitude of problems concerning the operation of the Montague City Council. The Montague City Council was requested to respond.

F1. The Montague City Council was seated in accordance with the recommendation of Siskiyou County Counsel.

**Response (Montague City Council):** *The City Council agrees.*

**Response (Siskiyou County Counsel):** **County Counsel does not advise the Montague City Council. Advice from County Counsel was provided to the County Clerk and Registrar of Voters. The Montague City Council is not a client of the County Counsel.**

R1. No recommendation.

**Response (Montague City Council):** No response necessary.

F2. One or more documented serial meetings took place in violation of the Brown Act.

**Response (Montague City Council):** *The City Council agrees with the statement in the Grand Jury Report regarding the definition of a serial meeting. The City Council is not aware of documented instances of a serial meeting and therefore cannot either affirm or deny the finding.*

R2. The Council should undergo periodic Brown Act training to ensure it is well versed in the Act and the limits the Act imposes on the use of emails, texting or phone calls among members regarding city business.

**Response (Montague City Council):** *The City Council has undergone periodic Brown Act training, most recently on September 8, 2017.*

F3. There is no orientation of new city council members.

**Response (Montague City Council):** *The City Council disagrees with the finding that there was no orientation for new City Council members. All City Council members have received the ethics training required by Government Code §53235. Following the Grand Jury Report on July 3, 2017, the City Council conducted a workshop with the City Attorney to discuss the Grand Jury Report and in particular the subject of relations between the City Council and City staff.*

R3. The City should establish an orientation training program for new and incumbent city council members which should take effect before the next elections cycle.

**Response (Montague City Council):** *Orientation and training of City Council members are important. Orientation training and programs exist, including those established by the League of California Cities. It is problematic whether the City itself should attempt to establish a training and orientation program.*

F4. There is an incomplete Policy and Procedures manual.

**Response (Montague City Council):** *The City Council agrees.*

R4. The City should complete its Policy and Procedures manual by January 2018.

**Response (Montague City Council):** *The City is endeavoring to complete the Policies & Procedures Manual by January 2018.*

F5. There is no written documentation of job duties or responsibilities for either staff or council members.

**Response (Montague City Council):** *The City Council agrees in part and disagrees in part. The City Council is reviewing the job descriptions of staff. The job descriptions of City Council members are set forth in California Law and are not subject to local interpretation.*

R5. The recommended orientation (R3) and the Policy and Procedures Manual (R5) need to clearly define the duties and expectations for City Council members, the City Clerk's position and all other positions at the city by January 2018.

**Response (Montague City Council):** *The Policies & Procedures Manual will set forth the responsibilities of City staff. The responsibilities of City Council members are set forth in the California Law. The City Council is working to establish Council Protocols that will be adopted by resolution and will address the City Council relations with staff and related items. This should also be completed by January 2018.*

F6. Because more than one city council member gives instructions to city staff and the instructions are not consistent, the result is ineffective communication and expectations between City Council members and city staff.

**Response (Montague City Council):** *The City Council agrees.*

R6. The City Council should clearly define responsibilities in managing staff.

**Response (Montague City Council):** *It is expected the Policies & Procedures Manual will define responsibilities of managing staff.*

F7. There is no established chain of command between the City Council and staff members.

**Response (Montague City Council):** *The City Council agrees in part and disagrees in part. There have been confusing relations between City Council members and staff but it is not felt that it is a “chain of command” issue. The City Council is working on protocols to regular council member relations to staff.*

R7. While all city staff is responsible to the board as a whole, the City Council should generate an organizational chart, with each staff position reporting to a single council member. Policy should be decided by the Council, but should be communicated to staff via one person.

**Response (Montague City Council):** *The council protocols will establish a relationship between city Council and staff. It is not expected, nor is considered appropriate, for a single council member to direct staff.*

F8. The lack of orientation and training has resulted in confusion and inconsistent communication between staff and council members.

**Response (Montague City Council):** *The City Council agrees there have been confusing and inconsistent communications between the staff and council members. The City Council is not assured this is a result of lack of orientation.*

R8. The City Council members should immediately avail themselves of online, free or low cost training programs concerning conduct, decorum and the governing of civic meetings

**Response (Montague City Council):** *During the workshop on September 8, 2017, the City Council spent considerable time addressing decorum and conduct of civil meetings.*

## **SISKIYOU COUNTY PUBLIC LIBRARY SYSTEM:**

**Summary:** In 2010, county libraries lost almost all of their funding. Although faced with many, many challenges, citizens help libraries to remain in operation through very limited funding and the work of volunteers. A long-term solution needs to be found and implemented. The Siskiyou County Board of Supervisors was requested to respond and the Siskiyou County Librarian was invited to respond.

F1. Staff and volunteers at all the libraries are concerned that volunteer training is not standard at each library.

R1. Under the current MOU, the county is required to provide training for volunteers. A procedures /training manual should be created and updated regularly. Training should be provided regularly to all staff and (sic) volunteers, and each branch library should have copies of procedures/training manuals as specified in the MOU, in place by January 2018.

**Response (Board of Supervisors):** *The Board agrees with this finding. The County Librarian is working cooperatively with branches and has made training guides and policies available to all branch staff and volunteers in a common electronic folder. Further trainings will be developed with the volunteers and conducted in 2018.*

**Response (County Librarian):** *The County Librarian agrees with this finding for county-wide services (i.e., using the library catalog, logging into public PC's, understanding the online resources, etc.). Training guides and policies have already been made available to all branch*

*staff and volunteers in a common electronic folder. Further trainings will be developed with the volunteers and conducted in 2018. However, in the current library framework the County does not have a role in the training of the branch operations (i.e., how to open the branch, who to contact if there is a maintenance issue, how to organize/host library event, etc.). The County Library staff are available to support local events and efforts, but it is up to the local community to train its staff and volunteers for community-specific needs.*

F2. There appears to be conflict and confusion regarding the donation, retention and circulation of library materials.

R2. The definition of what is, and is not, in the library system's collection and how donations will be handled should be discussed and the current MOU amended to state the resulting policies accurately by year's end.

**Response (Board of Supervisors):** *The Board partially agrees with the finding and recommendation.*

*The County is aware of this issue and has made efforts to work cooperatively with the branches to clarify any confusion and implement consistent practices across the system. This has proven to be challenging for a variety of reasons. The issues have been resolved for the most part. However, it is important to recognize that each community operates uniquely even though they are part of a system.*

**Response (County Librarian):** *The County Librarian partially agrees with the finding and recommendation. Since this new framework was established in 2011, the communities have found different ways to support their local branch. In addition to staffing with volunteers, some cities have increased funding, other communities have passed tax measures, and all have sought grants, increased fundraising efforts and sought more donations to support library services. These local resources have occasionally created tension about how an item purchased with local community funds should fit within the broader county-wide library system. For example, a book purchased with a grant awarded to the Weed branch is available to all the Siskiyou County patrons equally, not just the local patrons in Weed. Similarly, a donation from a Dunsmuir patron may not be accepted into the collection because it doesn't meet the broader development guidelines set by the County Librarian.*

*The County is aware of these issues and has made efforts to work cooperatively with the branches to clarify any confusion and implement consistent practices across the system. This has proven to be challenging for a variety of reasons, but the County Librarian remains committed to increase transparency on the donation, retention and circulation policies so that the local communities' interests are balanced against the larger County Library goals. For the most part, these issues have been resolved but the County Librarian remains open to discuss new concerns as they develop.*

*The County Librarian will make the circulation and donation information available to the public (and branch volunteers) through the library's website instead of the Memorandum of Understanding.*

F3. Procedures and payment for background checks are handled differently at each branch and most involve the volunteer being required to pay for their own background check.

R3. Under an amended MOU, the County should pay the background checks required by the County for staff/volunteers working in any branch.

**Response (Board of Supervisors):** *The Board partially agrees with the finding and recommendation.*

*Background checks are important. The recommendation suggests a fairly significant modification in the roles and responsibilities between the County and branches. While some work has been done to address this, more work is needed to fully investigate a process through which library volunteers could be processed within the County system without significantly changing the backbone model.*

**Response (County Librarian):** *The County Librarian agrees with the finding and recommendation.*

*While the issue is important, the recommendation suggests a fairly significant modification in the roles and responsibilities between the County and branches. Some work has been done to address this, but more work is needed to fully investigate a process through which library volunteers could be processed within the County system. The issue is complicated by associated costs and the innate nature of relying on a pool of volunteers. While the County may consider collaboration, it is important to remember that current model relies on local communities to determine how to fund and support operations of each local branch. The County's role is to provide a backbone of a critical infrastructure while communities are responsible to ongoing maintenance and operations. It should be further noted that the model is considered permanent and local branches should focus on how best to sustain their operations with the limited support the County is able to provide.*

F4. Although each branch is required to have two computers for network communications, there is unequal access to effective communications across branches as a result of nonstandard computer equipment.

R4. Under an amended MOU between the county library and communities, the two computers which branches are required to provide should be the responsibility of the County and should be purchased by the County, along with required software and upgrades. A replacement schedule should be created so all the computers do not have to be replaced in one year but through a five-year replacement schedule.

**Response (Board of Supervisors):** *The Board partially disagrees with the finding.*

*Each community branch has different Information Technology needs but those elements that are needed to properly connect to the County's network are set by County IT department to ensure standard equipment is used.*

*The Board agrees that the branches should move to a 5-year replacement program to make it easier to plan and purchase library computers, however, these are community operational decisions. In the past two fiscal years, the Board has provided \$2,000 of discretionary funds to help branches address issues such as IT infrastructure needs.*

**Response (County Librarian):** *The County Librarian partially disagrees with the finding.*

*Each community branch has different Information Technology needs but those elements that are needed to properly connect to the County's network are set by County IT department to ensure standard equipment is used.*

*The County Librarian agrees that the branches should move to a 5-year replacement program to make it easier to plan and purchase library computers in the future but cannot commit to County budgetary requests. It will remain a local expense. But it should be noted that in the past two fiscal years, the County provided \$2,000 of discretionary funds to help branches address issues such as IT infrastructure needs. Again, the County does not have resources to maintain and operate local branches and therefore, it is incumbent upon each community to determine how best to meet local needs.*

F5. There is inadequate funding for new books, which needs to be addressed when the Boles Fire insurance funds are exhausted.

R5. The county should increase available funding to buy new materials when the Boles Fire Insurance money is depleted.

**Response (Board of Supervisors):** *The Board partially agrees and while County resources are scarce, it will continue to work with the County Librarian to develop a plan to purchase new materials once the insurance funds are depleted.*

**Response (County Librarian):** *The County Librarian has raised this issue with administration and will continue to work to develop a plan to purchase new materials once the insurance funds are depleted.*

*Even with the use of the Boles Fund, one-third of all new cataloged items come from the local branches (i.e., donations and local purchases). The long-term goal for the collection will result from a partnership and coordination between the County, Local Communities and Grants - with the County Librarian working with the Board to support a majority of those funds - and continue to purchase new material after the Boles Insurance Fund is exhausted.*

F6. The Distribution Center has not been applying for available grants, which the branch libraries are unable to apply for due to their non-governmental status.

R6. More emphasis should be placed on obtaining funds for branches through grants applied for by the Distribution Center. These could assist individual branches to meet financial needs.

**Response (Board of Supervisors):** *The Board disagrees with the finding.*

*The Siskiyou County Library has actively sought grant funds and has benefitted tremendously from various grants (Libri Books, Shasta Regional Community Foundation grants for computers and new carpet, State Library grants to replace network equipment, etc.).*

*Occasionally grant opportunities that are available are not pursued because of the capacity of the library staff to effectively monitor and execute the grant.*

**Response (County Librarian):** *The County Librarian wholly disagrees with the finding.*

*Occasionally grant opportunities that are available are not pursued because of the capacity of the library staff to effectively monitor and execute the grant.*

*However, the Board of Supervisors has supported many grant applications in the past five years that benefit the entire Siskiyou County Library system (e.g., Shasta Regional Community Foundation grants for new computers and new carpet, California State Library grants to replace network equipment, etc.).*

*Local branches have also been able to apply for their own grants (e.g., the Libri and Pilcrow grant for Children's material and the Union Pacific grants for local operations) with support from the County Librarian, as needed.*

*It is not clear that the lack of governmental status at the community-level has prevented local branches from applying for many grants. However, should this situation arise, the County Librarian commits to investigating and applying for grants on behalf of the branches, as applicable. The Siskiyou County Library system also has a county-wide 501(c)3 organization, the Vestal Foundation, that can represent branches and apply for grants.*

*The County Librarian continues to commit to apply for grants that improve library services and introduce programs and/or library materials that will be sustainable after the grant funds are used.*

## **SISKIYOU COUNTY LAW LIBRARY**

Summary: Historically, the Siskiyou County Law Library was operated and funded by the Superior Court. In July 2012, that duty was turned over to the County though a percentage of Superior Court civil filing fees continue to fund the Law Library. This is due to the Superior Court, through legislation, having changed its status from a county entity to a state-operated entity. Since this change, questions and concerns have arisen. The Siskiyou County Board of Supervisors and Board of Law Library Trustees were requested to respond. The Siskiyou County Librarian was invited to respond.

\*Note: to date, there have been no requested responses received from the Board of Law Library Trustees.

F1. There are no signs in the library defining the location of the law library describing the collection, or explaining the use of dedicated computers, making the law library difficult to find or access unless the volunteer attorneys are available.

R1. There should be adequate signage directing the public to the public law library, describing the law library collection and explaining how to access the dedicated computers. These can be printed at negligible cost and should be posted within 90 days of the publication of this report.

Response (Board of Supervisors): *The Board agrees with this finding. The County Librarian will work with the Yreka branch Friends of the Library to improve signage in the Yreka branch.*

F2. There is no mention of the public law library in any informational materials or on the public library website. Therefore, the general public is unaware of the law library's existence and its possible benefits to those who require legal assistance.

R2. At the very least, a brochure should be created to outline public law library information and the Siskiyou County Public Library web page should be updated to include information about the public law library by the end of the year.

Response (Board of Supervisors): *The Board agrees with the finding. The County Librarian will include more information about the Law Library resources in pamphlets and promote them on the library's website.*

F3. There is no central area to house the public law library, effectively making the law library difficult to use.

R3. The Public Law Library should be housed in one clearly designated area of the Yreka branch of the Public Library immediately.

Response (Board of Supervisors): *The Board partially disagrees with this finding. The Law Library has specific shelving and public computers that are located in the same area of the library but perhaps the signage could be improved (See Recommendation 1).*

F4. The collection is not easily accessible to the public and not all staff or volunteers are familiar with its location. Therefore, the law library collection paid for by the board of law library trustees is invisible to the public.

R4. Volunteers at the Yreka Branch Library should be trained regarding the location and use of the Public Law Library. They should be able to direct the public to the designated space. This training should be completed immediately.

Response (Board of Supervisors): *The Board agrees with the finding. The County Librarian will confirm that the Yreka Library volunteers are aware of the location of the materials.*

F5. While online databases are available, there are no instructions or passwords posted to facilitate public use, causing the databases to be inaccessible to the public.

R5. Instructions for use of the computer databases and access to passwords should be made readily available to the public.

Response (Board of Supervisors): *The Board partially agrees with this finding. Passwords are posted near the Law Library computers. However, the Library will work to create easier guides to make the databases more accessible for the public in the Yreka branch.*

F6. While attorneys regularly volunteer and assist the public in using the law library, there is little publicity regarding this service, which is the only way the public is currently able to access the law library collections.

R6. Volunteers at the Yreka Branch Library should be trained immediately to give information as to attorney availability at the law library

Response (Board of Supervisors): *The Board agrees with this finding. The Yreka Friends have promoted open sessions when local lawyers will be available.*

## **NEW YREKA POLICE DEPARTMENT FACILITY**

**Summary:** More than 12 years ago, and three separate Civil Grand Jury investigations and reports later, the Yreka Police Department Facility has finally begun to be remodeled and constructed. At the time of writing of the 2016-2017 report, the Yreka City Council was soliciting new bids for the project. Currently (May 2018) remodeling and construction is underway. Yreka City Council was requested to respond to Recommendations 1 and 5.

F1. The City of Yreka entered into a search for a new police station having no short or long-range comprehensive plan.

R1. In order to minimize future conflict regarding large projects, the City Council should complete its comprehensive citywide strategic plan by the end of 2017.

Response: *The City is moving forward with a strategic planning process that began in March 2017. Through this process, the City has identified a number of goals including capital improvement plans and planning for future facilities. The time horizons for priority projects and programs vary between 6-12 months and five years. The plan will be complete by the end of the year, however, planning and implementation of individual components will take longer. Funding for capital projects will continue to be a challenge.*

F2. The City entered into a search for a new police station with no defined budget.

R2. Before beginning future projects, the City should insure that a budget is in place.

- F3. Only recently was City staff assigned the responsibility to oversee finding solutions to police station relocation issues.
- R3. The City should provide direction and designate responsibility for project management to specific individuals at the start of every project.
- F4. In March 2017, the City Council voted to reopen the bid process for remodeling the property at 1400 Fairlane Road.
- R4. Again, the City should provide direction and designate responsibility for project management to specific individuals at the start of every project.
- F5. The City, in conjunction with the Economic Development Council, has begun the process of creating a comprehensive citywide strategic plan.
- R5. The City is to be commended for initiating steps for a comprehensive citywide strategic plan, and we encourage a speedy completion of the plan.

**Response:** *As noted above, the strategic plan will be completed by the end of the year. Planning and implementation will take longer and funding to implement projects will be challenging.*

## **SISKIYOU COUNTY CHILD PROTECTIVE SERVICES**

Summary: An overview of the functions of Siskiyou County Child Protective Services (CPS) was given. Responses were invited. Child Protective Services submitted articles of clarification outlined below:

- 1) **Page 2, Paragraph 2:** *This paragraph discusses our response protocol and we would like to ensure that you are aware that each case is looked at based on numerous factors including age of the children, season/weather (no power is a larger issue in hot summer or cold winter), etc., when making a determination whether a child is in imminent danger.*
- 2) **Page 3, Paragraph 1:** *We would like to clarify that CPS social workers do not wear protective vests or gear.*
- 3) **Page 3, Paragraph 3:** *This paragraph indicates that visits are cancelled if a drug test is positive. For clarification, a visit may be cancelled based on a variety of factors including, but not limited to, the parent's case plan, court order, family interaction, or a positive drug test. Drug testing costs approximately \$100,000 annually (though costs vary each year). While the majority of the cost is covered by Medi-Cal, a portion of it is covered by our realignment.*
- 4) **Page 3, Paragraph 6:** *For clarification, CPS does not provide assistance to the Tribes in the operation of their children and family services program, rather CPS refers tribal families (or other families, as appropriate) whenever possible to the Tribes' self-established service programs.*