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## **Report on the County Clerk and Assessor's Office** (February 28, 2005)

### **SUMMARY**

As part of its obligation to conduct periodic reviews of County agencies, the Grand Jury performed an oversight of the Office of the County Clerk and Assessor.

### **BACKGROUND**

According to the mission statement of the Clerk and Assessor, "The combined offices are responsible for a wide range of services. Our mission is to carry out the legal requirements in a manner resulting in equitable and fair treatment of all County Taxpayers, to maintain and preserve the public's records in a secure and easily accessible environment for retrieval by the public and to promote public confidence in the administration of fair and impartial elections." The office performs an extensive and varied number of functions on behalf of the County and its residents, including maintenance of property and voter rolls, assessment of real and personal property, issuing of licenses, recording of births and deaths, and the conduct and tallying of local, state, and national elections.

### **METHODOLOGY**

The Grand Jury visited the Clerk/Assessor's Office and conducted interviews of office personnel. It reviewed documents pertaining to the organization and performance of the duties of the office.

### **FINDINGS**

1. The office of the Clerk has a total permanent staff of nine.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

2. Staff turnover is higher at the lower paid, entry level positions than among more senior personnel.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors)** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

3. To the fullest extent possible, functions of the Clerk's Office are computerized in a very technology-intensive environment.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

4. A portion of the document processing fees goes to pay for up-to-date technology.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

5. The remainder of revenues from the Office goes into the County General Fund.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

6. Requests for information and documents are met in a timely fashion.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

7. Despite a considerable increase in recent years in the volume of work, the Clerk's Office has functioned without an increase in staffing for the last 20 years.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

8. The conduct of County elections by the Clerk's Office has gone smoothly despite the increasing complexity of the process.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

9. The conduct of elections depends heavily on a well-organized group of temporary hires.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

10. Election results, sent by modem from the polling places, are now available almost immediately after the closing of the polls at the Clerk's Office and the Mendocino County website.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

11. Safeguards for a fair election process appear to be both adequate and appropriate.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

12. Between elections voting machines are warehoused in two separate facilities, one of which has a leaky roof.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (General Services):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the responses of both departments.

13. The Assessor's Office has an authorized staff of 24 permanent workers and supervisors.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

14. The Assessor's Office is increasingly computerized, enabling it to handle the workload much more efficiently.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

15. Shortage of staff in the Assessor's Office, particularly those with specific skills, is a serious problem, leading to a grievous overburdening of existing personnel.

**Response (County Clerk/Assessor):** The Department agrees with this finding.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this finding and the County Clerk/Assessor response.

## ***RECOMMENDATIONS***

1. The Grand Jury recommends that the Board of Supervisors require the Department of Human Resources to perform desk audits for workers in the Clerk/Assessor's office to determine the appropriateness of current salaries for those jobs. (Finding 2)

**Response (County Clerk/Assessor):** This recommendation requires further analysis. I have met with the Human Resources Director regarding the shortage of adequately skilled employees in the Assessor's office as well as desk audits for workers in the Clerk/Assessor's office to determine the appropriateness of current salaries of these jobs. I believe it is appropriate for Human Resources to perform desk audits and determine the appropriateness of current salaries of these jobs.

**Response (Human Resources):** The Human Resources Department is prepared to review the job classes which are voted as high turnover (Staff Assistant I) and shortage of skilled staff (Auditor Appraiser) to determine if the positions are properly classified and compensated. The Human Resources Department has a backlog of over 30 positions requiring classification review, but these positions will be given a higher priority.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this recommendation. The Human Resources Department will perform desk audits for the classifications unique to the County Clerk/Assessors Office and will research salary levels for those positions. This work will be completed by January 1, 2006 and the results will be presented to the County Clerk/Assessor, as well as the Board of Supervisors for their consideration.

2. The Grand Jury recommends that election machines be stored in one secure, structurally sound facility. (Finding 12)

**Response (County Clerk/Assessor):** This recommendation requires further analysis. I have met with the General Services Director regarding the storage election machines in one secure, structurally sound facility. Currently, the Accu-vote optical scan ballot counters are stored in the County Clerk-Recorder-Elections designated section of the storage facility adjacent to the County Administration Center at 501 Low Gap Road while the voting booths and optical scan ballot boxes are maintained in a storage shed with a leaky roof in back of the General Services Department. The optimum solution would be to have all of our election equipment stored in the storage facility adjacent to the County Administration Center. However I recognize that this storage facility has already been partitioned out to other departments and there is now not room to expand our space. The General Services Director has therefore agreed to make space available in the General Services warehouse to store election voting booths and ballot boxes. The General Services warehouse is secure and structurally sound.

**Response (General Services):** This recommendation requires further

analysis. General Services has met with County Clerk-Recorder/Assessor Marsha Wharff to review the situation and discuss alternatives. We agree that the current storage location at General Services for the ballot boxes and portable voting booths is inadequate in that the ballot boxes are required to be stacked three high and that the metal roof over the storage area needs to be repaired. To resolve that situation, we have agreed to create an adequate and secure storage area for this equipment within the General Services warehouse.

The electronic ballot tabulators are currently stored in the Clerk-Recorder/Elections' designated portion of the new storage facility adjacent to the County Administration Center at 501 Low Gap Road. This area is adequate and secure and convenient to the Elections office, and therefore preferable to the General Services warehouse. There is not additional space available in the new storage facility for all of the elections equipment, and therefore General Services is not able to implement the Grand Jury's recommendation that all "elections machines" be stored in one secure, structurally sound facility. Instead, as noted above, pursuant to our understanding with the Clerk-Recorder, the equipment will be housed in two separate but secure and structurally sound facilities.

The Clerk-Recorder anticipates the delivery of some number of computerized, touch-screen voting "booths" in the near future. Prior to such delivery, General Services and the Clerk-Recorder will collaborate on a plan to ensure that this equipment is adequately and securely warehoused in a location convenient and acceptable to the Clerk-Recorder.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this recommendation in part. The County Clerk/Assessor and Department of General Services have developed a viable proposal for improved storage of election equipment. This proposal would address the issue of protection of equipment from the elements, but would utilize two locations rather than one. This solution is acceptable to the Board.

3. The Grand Jury recommends that further efforts to address the shortage of adequately skilled employees in the Assessor's office be undertaken. (Finding 15)

**Response (County Clerk/Assessor):** This recommendation requires further analysis. I have met with the Human Resources Director regarding the shortage of adequately skilled employees in the Assessor's office as well as desk audits for workers in the Clerk/Assessor's office to determine the appropriateness of current salaries of these jobs. I believe it is appropriate

for Human Resources to perform desk audits and determine the appropriateness of current salaries of these jobs.

**Response (Board of Supervisors):** The Board of Supervisors agrees with this recommendation. The Board notes that the County Clerk/Assessor is currently working with the Human Resource Department on addressing the shortage of adequately skilled employees in the Assessor's Office.

***COMMENTS***

The astute use of technology by the office of the Clerk/Assessor has mitigated the effect of budget cuts that have had such a negative impact on many County agencies. The Grand Jury commends the administration of the office for both the overall efficiency and helpfulness demonstrated in the workplace.

***RESPONSES REQUIRED***

Mendocino County Board of Supervisors  
Mendocino County Clerk/Assessor

***RESPONSES REQUESTED***

Director of Human Resources  
Director of General Services



## **ANIMAL CARE AND CONTROL COMPLAINT REPORT** (May 6, 2005)

### ***Summary***

Following receipt of a complaint by county residents describing a less than optimal experience in interaction with staff at the Mendocino County Animal Care and Control (ACC), the Grand Jury attempted to verify the report and recommend steps to avoid such incidents in the future.

### ***Background***

The Mendocino County ACC Mission Statement asserts that the Department will “serve the citizens of Mendocino County by providing animal regulation services that promote public safety, health and responsible pet ownership and deliver these services in a timely, courteous, professional and cost effective manner.”

The Grand Jury responded to a citizen complaint which seemed to indicate that representatives of the Department might have acted in disregard or without knowledge of this statement. During the process of retrieving their two dogs from the Ukiah ACC, the complainants were given misinformation, treated with insensitivity and a lack of professionalism, and recovered their dead animal by entering the incinerator and removing the pet from a pile of dead animals.

### ***Methodology***

In the course of investigating the complaint, the Grand Jury interviewed ACC personnel, a local veterinarian, and the citizens who lodged the complaint. The Grand Jury also researched the Policies and Procedures manual of the Department, toured the Ukiah Animal Control facility, and consulted various records, documents and memorandums pertaining to State and County Animal control policies and ordinances.

### ***Findings***

1. Mendocino County ACC utilizes both paid staff and volunteers in the day-to-day functioning of the Ukiah facility.
2. The ACC Policy and Procedures manual was revised thirteen years ago (1992).
3. While all new ACC employees may be asked to read the Policy and Procedures within one or two weeks of hire, records indicate that verification of this reading is inconsistent.

4. ACC volunteers are not required to become familiar with the Policy and Procedures.
5. There are three microchip scanners available at the Ukiah facility to assist in pet identification, one at the front desk, one in the clinic and one in the back room where animals are euthanized.
6. An unidentified dog brought to the Ukiah facility would be scanned for a microchip within a time frame which can be as long as 24 hours.
7. A dead dog brought to the Ukiah facility might or might not be scanned for a microchip.
8. It is unclear whether a dead dog arriving at the Ukiah facility would be placed in the freezer or in the incinerator.
9. The incinerator at the Ukiah facility is kept locked and must be unlocked by a staff member for a specific purpose.
10. It is unclear whether an owner, under ACC procedures, might be allowed by an employee or a volunteer to retrieve a dead animal from the incinerator prior to a burning.
11. The incinerator at the Ukiah facility may contain, at any given time, dead animals which are color-coded as possible biohazards.
12. It is unclear whether an owner attempting to recover a dead animal would be offered, by an employee or volunteer, a plastic bag in which to carry the remains.
13. The ACC Policy and Procedures manual, as currently written, does not contain specific references to the urgency of scanning dogs immediately for a microchip and the importance of scanning all dogs received at the facility.
14. The ACC Policy and Procedures manual, as currently written, does not contain specific regulations regarding who may enter the incinerator to retrieve a dead animal.

### ***Recommendations***

1. Grand Jury recommends that all ACC employees be required to read and develop a working knowledge of the Policy and Procedures manual within two weeks of hire and that verification of this task be timely and consistent. (Findings 2,3)

2. The Grand Jury recommends that the Policy and Procedures manual distinguish between tasks that volunteers may do and tasks only to be performed by trained staff. (Findings 1,2,3,4)
3. The Grand Jury recommends that ACC volunteers become trained in and knowledgeable of those sections of the Policy and Procedures manual which pertain to tasks appropriate to their status. (Findings 1,2,4)
4. The Grand Jury recommends that relevant changes in State and County policy be immediately communicated to staff and volunteers as well as added to the Policy and Procedures manual. (Findings 1,2,3,4)
5. The Grand Jury recommends that the Policy and Procedures manual be reviewed and revised on a biannual basis by a panel of ACC employees and volunteers; the manual should be displayed and available for use by all employees, volunteers and clients of the ACC. (Findings 2,3,4,14,)
6. The Grand Jury recommends that the pages of the Policy and Procedures manual be numbered sequentially and that they be dated to reflect updates. (Finding 2)
7. The Grand Jury recommends that the Policy and Procedures manual contain clear guidelines which prevent anyone other than an ACC employee from entering the incinerator. (Findings 11,12,)
8. The Grand Jury recommends that all dogs be scanned upon arrival at the ACC facility, regardless of their condition, and that the scanning occur before a dog is placed in a cage, freezer or incinerator. (Findings 6,7,8,14)

### ***Comments***

Whatever the circumstances, the death of a pet is a difficult, often traumatic experience for the owner. The treatment of a bereaved owner by a government agency which must often deal with such incidents should be, at the very least, professional.

Two owners living outside Ukiah Valley learned from other sources that their two dogs, one unharmed and one dead, had been taken by an ACC employee to the city facility. They left phone messages indicating their desire to retrieve both pets. Although both dogs carried microchips, there is no indication that either was scanned at the Ukiah facility. Upon arrival, they were told at the reception desk that the dead dog was in the freezer. Indeed, the Grand Jury was told that an

identified dead animal would be kept in the freezer until the owner is reached, then released to the owner or burned.

When one of the owners was directed to the rear of the facility, he was told by another staff member that his animal was in the incinerator. The door was opened, his dead pet was pointed out, and the owner himself entered the incinerator to retrieve the dog. He was not offered, as a courtesy, a container such as a large plastic bag in which to carry the remains to his car.

The Grand Jury recognizes the important and necessary work of Animal Care and Control workers. Spaying and neutering programs, the rescue of strays, organization and promotion of the adoption process are all vital services to this community. The Grand Jury believes, however, that those services would be improved by clear and concise guidelines in a Policy and Procedures manual disseminated to all staff members and volunteers.

Finally, when saddened owners arrive at the facility to recover a dead pet, Mendocino County citizens expect courtesy and professionalism from ACC employees and volunteers. The Grand Jury would hope, in addition, that such clients be shown sensitivity and understanding.

***Response Required***

Mendocino County Board of Supervisors

***Response Requested***

Mendocino County Chief Executive Officer  
Director, Department of Animal Care and Control

**WET KENNELS AND LOW MORALE**  
**ANIMAL CARE AND CONTROL REPORT** (June 16, 2005)

***Summary***

Several problems found through previous oversights of the Mendocino County Animal Care and Control Department (ACC), particularly in the areas of management, staff training, and public service, continue to cause concern within the County. Care of animals and euthanasia protocols at the Ukiah facility also surfaced as issues in the course of this year's investigation. Recommendations include new and previously stated ideas for improvements.

***Background***

The Animal Care and Control Complaint Report, published recently by the 2004-2005 Grand Jury, dealt with a specific incident at the Ukiah facility. During the course of that investigation, however, the Grand Jury was alerted to other problems, some of long standing, which seem endemic at the facility. An unhealthy hierarchy of retribution and intimidation between management and staff seems to pervade the entire ACC. County employees, past employees, professionals and volunteers in animal care and the community at large all recognize the need for change in this County Department and express hope that the Board of Supervisors will step forward to exercise their oversight responsibility.

***Methodology***

The Grand Jury interviewed a number of persons both directly and indirectly associated with the ACC, County officials and various clients of the Department. The Jury toured both the Ukiah and Fort Bragg facilities and consulted both State and County documents regarding animal control and welfare, including reports published by prior Grand Juries.

***Findings***

1. In the past, the Board of Supervisors has exercised only indirect oversight of the ACC; oversight and evaluation responsibility was assigned to the County Administrative Officer, but neither the intent of the Board nor the oversight practices of the CAO's office has been apparent to the public.
2. A flawed management style in which both favoritism and intimidation are used to keep employees unsettled creates a culture of fear at the ACC which affects work efficiency, staff interaction and, inevitably, treatment of the animals housed at the facility.

3. The ACC Policies and Procedures manual omits or imprecisely describes many procedures which are performed frequently, even daily, by staff and/or volunteers. (See ***ACC Complaint Report 2004-2005 Grand Jury.***)
4. As a result of Finding 3, there is a potentially dangerous gap between procedures and “practices”. The “practices” are described by employees as verbal or understood instructions which vary in application and consistency.
5. Education and training of ACC employees is sporadic and inconsistent; some employees may receive formal training, others receive informal and often insufficient training onsite, still others receive little or no training for mandatory tasks.
6. There are no funds in the latest ACC budget allocated to education and training. While it is possible that this is the result of a bookkeeping procedure, it may also reflect the lack of priority given to these activities within the Department.
7. CHAMELEON, a highly rated, complex and expensive software specifically designed for use by agencies such as ACC, is underused by the County Department, primarily due to a lack of employee training.
8. While the ACC advertises itself as “working towards eliminating euthanasia”, there is no stated and transparent policy regarding the definition of an “adoptable” animal. Which employees make these decisions and what guidelines are followed are not clear; the “unadoptable” animal faces euthanasia.
9. The situation described in Finding 8 makes it impossible to measure the degree to which ACC euthanizes animals which private animal shelters and rescue groups might judge as adoptable.
10. Euthanizing animals as a necessary professional activity is rated statistically as one of the most stressful tasks an employee is asked to perform. There is no evidence that ACC offers any formal counseling and/or debriefing to employees who must routinely euthanize animals at the Ukiah or Fort Bragg facilities.
11. Both the ACC Administration and numerous additional witnesses have testified that generating revenue is the primary goal of the department.

12. Beds, although available, are not used in the Ukiah ACC facility, forcing dogs to sit, stand and lie on cold, often wet, concrete floors. This situation, which can be injurious as well as uncomfortable, arises because facility attendants complain of extra work required in cleaning cages which contain beds.

### ***Recommendations***

1. The Grand jury recommends that the Board of Supervisors ensure the formation of a Citizen's Advisory Committee to oversee the Department of ACC. (Findings 1,2)
2. The Grand Jury recommends that the Ukiah ACC facility utilize the beds at their disposal; dogs in all cages must have a dry place off the concrete available to them. (Finding 12).
3. The Grand Jury recommends that the ACC give education and training for employees a high priority in budget expenditures; a skilled, proficient staff should mean a more efficient use of ACC software and equipment and reduce staff turnover in the Department. (Findings 3, 4, 5, 6, 7).
4. The Grand Jury recommends that the ACC institute formal stress management procedures to meet the needs of those staff members who are involved in the euthanasia process. (Finding 10).
5. The 2003-2004 Grand Jury recommended that the ACC "develop a positive working relationship with the Humane Societies." These non-profit groups were encouraged to reciprocate. This Grand Jury reiterates this recommendation and, in addition, strongly urges the ACC to utilize licensed, non-profit animal shelters and rescue groups in a concerted effort to promote adoption rather than euthanasia. (Findings 8,9, 12).

### ***Comments***

The management of the ACC appears to be primarily committed to showing a profit, in contradiction to its Mission Statement. This may explain the ACC's reputation in the animal welfare community as more interested in collecting fees from those groups offering adoption services than in finding good homes for as many animals as possible.

Too many clients are met with hostility and rudeness at the front desk of the Ukiah facility; too many employees serve multiple probations which seem more a means of staff control than a time for education and training; too many

directives to employees are verbal and inconsistent rather than clearly codified in written form to which all can refer; too many animals are designated as “unadoptable” for reasons that are unclear and/or arbitrary.

It is true that the Board of Supervisors has the ultimate responsibility for the management philosophy and style of every County Department. As stated in Recommendation 1, however, the Grand Jury strongly urges the Board to form a community advisory committee to facilitate public scrutiny of a troubled Department.

***Responses Required***

Mendocino County Board of Supervisors

***Responses Requested***

County Executive Officer  
Director, Mendocino County Animal Care and Control  
President, Mendo-Lake Veterinary Medical Association

## **SUMMARY**

In response to citizen complaints, the Grand Jury performed an investigation of the Mendocino County Public Library.

## **BACKGROUND**

The Mendocino County Library has been at the center of conflict and controversy, much of it public, for several years. Some of this is the result of difficult budget decisions, but a number of other problems have arisen. Recent changes in the administration of the Library may have opened the way for some improvements in working conditions, but there remain important questions about the way in which the troubles in the Library were handled.

## **METHODOLOGY**

The Grand Jury visited the Library and conducted interviews of current and past Library personnel as well as other county government officials. Additionally the Grand Jury interviewed private citizens well informed on conditions in the Library system. We reviewed documents and Internet materials.

## **FINDINGS**

1. The Library Director's and Administrative Assistant's offices are located in the Ukiah Branch.
2. Strong, supportive and creative volunteer groups such as the Friends of the Library have provided vital services and financial support throughout the Mendocino County Library system.
3. The Libraries have functioned remarkably well as a result of the dedication of many hard-working employees.
4. In comparison to similar California counties, Mendocino County has a very high proportion of County residents who hold library cards.
5. Under recent administration, employee morale, particularly in the Ukiah branch, has been a serious on-going problem.
6. The Bookmobile was out of service during much of 2004, for lack of a qualified driver.
7. Over the last five years, a substantial number of grievances have been filed with the County and the Union by Library employees.
8. There was a significant failure to follow through on a negotiated mediation agreement within the Library Department, involving library personnel and administration, a representative of the Human Resources Department, and a representative from the Service Employees International Union (SEIU).
9. There have been inadequate audit functions within the County Library to account for cash receivables.