

Revisiting the 2017 Civil Grand Jury Report: “Preservation of Historical Documents of Monterey County”



SUMMARY

Monterey County is steeped in history with a unique past that includes such notables as California’s first constitution, first newspaper, and first public library; significant discoveries from early Spanish explorers Sebastian Vizcaino and Captain Gaspar de Portola; the final resting place of Father Junipero Serra and the birthplace of author John Steinbeck; and the list goes on and on. The journey Monterey County has taken to where it is today has been chronicled with documents, maps, and artwork, some dating back hundreds of years. The preservation of these historical documents and artifacts that provide links to the County’s roots and its people while preserving its unique character and personality is critical.

The 2016/17 Civil Grand Jury produced a report titled [“Preservation of Historical](#)

[Documents of Monterey County](#)¹ (2017 Report) in order to determine if these historical documents were being preserved and cared for properly. The report contained Findings and Recommendations to improve document preservation.

The City of Salinas, the City of Monterey, the Monterey County Assessor-County Clerk-Recorder, and the Monterey County Board of Supervisors were required to respond to the 2017 Report's Findings and Recommendations.

The 2020/2021 Monterey Civil Grand Jury (Civil Grand Jury) has chosen to follow-up on the 2017 Report. The goal of the 2020/2021 report is to establish whether the entities that were required to respond to the 2017 Report's Findings and Recommendations followed through in a manner consistent with their initial responses, and to document any gaps which may have subsequently occurred, capturing updated time frames for implementation as appropriate.

The Civil Grand Jury contacted each noted entity and requested a status update as to the disposition of the 2017 Findings and Recommendations. The City of Salinas, the City of Monterey, and the Monterey County Assessor-County Clerk-Recorder each provided status updates. The Monterey County Board of Supervisors did not respond.

BACKGROUND

The Civil Grand Jury's function is to investigate and provide reports on the operations of local governments in Monterey County including the County, Cities, and the numerous Special Districts that serve the residents of the County. The investigations and subsequent analysis of materials obtained by the Civil Grand Jury may result in the issuance of a report. If issued, the report will ultimately contain Findings and Recommendations regarding the chosen subject. Once the report is published, the entities that were the subjects of the investigation must respond to that report's Findings and Recommendations.

California Penal Code 933.05 requires that the entity's responses do the following: either agree, disagree, or partially agree with a Finding, and if the entity disagrees

¹ <https://www.co.monterey.ca.us/home/showpublisheddocument?id=27567>

wholly or partially with the finding the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor. The Code also requires that the respondent indicate whether a Recommendation has been implemented, will be implemented (with a specified timeframe), or further study is required (with a specified timeframe).

Once the entity's responses are received and accepted by the Civil Grand Jury, that is usually the end of the story. It is the hope of the Civil Grand Jury that any agreed-on Findings and Recommendations are ultimately implemented as per the responses, but there is no requirement for the entities to issue any subsequent reports documenting their progress.

One path the Civil Grand Jury can follow to address whether an entity that agreed to implement a Finding or Recommendation actually did so is to launch an "implementation review report." This type of report revisits a past Civil Grand Jury report, along with the required entity's responses, and asks those entities for a status update on their responses. The 2020/2021 Civil Grand Jury chose to revisit the 2017 Report to obtain status updates from the City of Salinas, the City of Monterey, the Monterey County Assessor-County Clerk-Recorder, and the Monterey County Board of Supervisors.

METHODOLOGY

The Civil Grand Jury contacted the 2017 Report responding entities and asked them to provide a status update on specific Findings and the Recommendations contained in the 2017 Report. The City of Salinas, the City of Monterey, and the Monterey County Assessor-County Clerk-Recorder each provided status updates. The Monterey County Board of Supervisors did not respond.

The Civil Grand Jury also conducted interviews with City of Monterey staff and performed internet searches of documents, agendas, and meeting minutes for the various entities.

DISCUSSION

The 2017 Report contained nine Findings and three Recommendations. This Jury asked the entities to provide a status update on two of the nine Findings, along with the three Recommendations.

2017 Report - Relevant Findings:

F3: The documents stored and maintained in these repositories vary. The most modern and up to date methods are those maintained in a temperature and humidity-controlled vault at the Monterey County Historical Society.

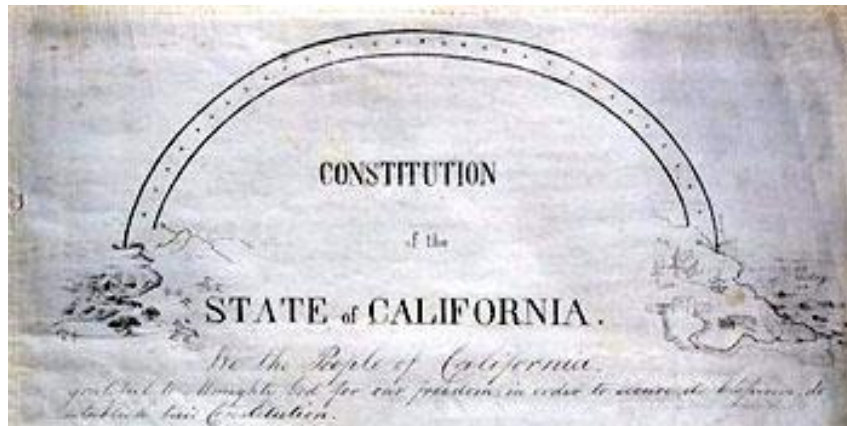
F4: The volumes of records in the vestibule of the office of the Assessor-County Clerk-Recorder, although preserved, may be damaged by public use. These documents are neither temperature nor humidity controlled. Additionally, access to the title transfer records is uncontrolled.

2017 Report - Relevant Recommendations:

R1: All Cities and agencies within Monterey County should catalog and index all historical documentation they maintain.

R2: This index once created should be shared between each city and all county historical agencies.

R3: Monterey County offices should have all their historical documents stored in humidity and temperature-controlled environments. To address the lack of funding to protect these documents the County Clerk should add a small assessment on documents requested to generate revenue.



California Constitution. (Photo:www.sos.ca.gov)

The following is a synopsis of each entity's 2017 responses and their new status update responses:

City of Salinas:

The Civil Grand Jury asked the City of Salinas to provide status updates specifically to Finding 3 and Recommendations 1 and 2 from the 2017 Report.

Salinas' 2017 response to F3:

The City of Salinas agrees with this finding. As stated in the final report, the Salinas Public Library is currently studying more effective methods of storing and securing historical documents.

The Civil Grand Jury asked Salinas the following two questions regarding their 2017 response to F3:

1. Has the City of Salinas completed their study of more effective methods of storing and securing historical documents?
2. Have there been any other changes in the City, since the original report was published, that would affect the City's response?

Salinas provided a current update response, stating that they have completed a study on more effective methods of storing historical documents titled "Preservation Needs Assessment of the Local History Collection in the Salinas Public Library," prepared by

Barclay Ogden of the [California Preservation Program \(CPP\)](#)², which was attached with their response to the Civil Grand Jury.

The assessment was occasioned by the Library's participation in the CPP's [Collection Preservation Assessment Project \(CPAP\)](#)³. The Library wanted to address the concern as to whether they were taking appropriate actions to preserve their collections, and to ensure that these materials continue to be available for use by current and future library patrons.

The California Preservation Program is a task force created in 1992 by the California State Library to design a preservation program for California to meet preservation, education, training, and assistance needs. Part of the CPP is the Collection Preservation Assessment Project designed to help small and mid-sized libraries and archives plan improvements in care for their permanent and historical collections. The CPP website states that:

A preservation assessment of the collections, including scope and scale of the preservation needs as well as recommendations, is an essential first step to create a plan for enhanced collection care. Further, preservation assessments often are a required step preliminary to preservation grant funding.

Consequently, CPAP was created to assist California institutes plan programs and projects to meet preservation needs of their collections.

Notably, past California Preservation Assessment Project awards have been received by Monterey History and Art Association, Monterey County Free Libraries, Salinas Public Library, and California State University Monterey Bay.

The City of Salinas also indicated that while they continue to agree with the original report's F3, they are not sure if the recommendation on temperature and humidity control has been implemented at this time. They cite staff turnover in the City's preservation effort as the main reason for this.

Salinas' 2017 response to R1:

² <https://calpreservation.org/>

³ <https://calpreservation.org/projects/cpap/>

The City of Salinas has not yet implemented this recommendation but is currently assessing all historical documents within their collection. This task will be complete by the end of FY 17-18. By the end of FY 18-19, the process of cataloging and indexing documents is expected to be completed.

The Civil Grand Jury asked Salinas the following two questions regarding their 2017 response to R1:

1. The City indicated that all historical documents would be assessed, catalogued, and indexed. Has this been accomplished?
2. Have there been other changes in the city, since the original report was published, that would affect the City's response?

Salinas provided a current update response stating that they have not yet assessed, catalogued, and indexed all historical documents, but they are in the process of completing an assessment of their historical records, including the records that are stored at the John Steinbeck Library and the National Steinbeck Center. They anticipate the assessment will be complete by August 2021, with the subsequent process to catalog and index all historical documents complete by August 2022. They again cited staff turnover as the reason for not meeting the original recommendation of achieving compliance by 2019.

Salinas' 2017 response to R2:

The City of Salinas has not yet implemented this recommendation but is currently assessing all historical documents within their collection. This task will be complete by the end of FY 17-18. By the end of FY 18-19, the process of cataloging and indexing documents is expected to be completed and the index will be shared with all other agencies.

The Civil Grand Jury asked Salinas the following three questions regarding the City's 2017 response to R2:

1. Has this been accomplished?

2. Do the responses by the County Board of Supervisors, the County Recorder, and the City of Monterey affect the City's response? (copies of above entity responses were provided to Salinas for consideration)
3. Have there been any advances in technology that you are aware of that would affect the City's response?

Salinas provided a current update response stating that the historical document index has not been completed, but when this is complete they will be able to cooperate with other agencies that have a compatible share index. They also agreed with the City of Monterey's assessment that there may be technical challenges with harmonizing agencies' different online index services. Finally, they indicated that they are unaware of any advances in technology that would facilitate sharing, but they are working with the Cities of Pacific Grove, Monterey, Carmel, and San Juan Bautista and the Monterey County Free Libraries on a study to determine the feasibility of sharing.



City of Monterey Public Library

City of Monterey:

Founded in 1849, the Monterey Public Library is California's first public library. The original Library was housed in El Cuartel, a Mexican government building located on Munras Avenue just south of what is now Simoneau Plaza. The current facility, located at 625 Pacific Street, was funded by a bond measure in 1950. Designed by noted

California architect William Wurster, the building opened in 1952.

It is important to note that the City of Monterey is planning an extensive remodel/addition to the public library, which currently houses the “California History Room.” The anticipated construction activity will require a temporary relocation of the California History Room, after which it will be moved back into the remodeled library.

Currently, in addition to historical documents and artifacts located in the Library’s California History Room, there are historical documents and artifacts stored in an old computer server room located in the basement of the Library, and additional historical materials are stored off-site. This distributed storage limits the ability for the public to view these documents and artifacts in a centralized location.

The Civil Grand Jury asked the City of Monterey to provide status updates specifically to Finding 3 and Recommendations 1 and 2 from the 2017 Report.

City of Monterey’s 2017 response to F3:

The City Council partially agrees with this finding. While the Monterey County Historical Society’s vault is modern and up-to-date, the City of Monterey maintains a secure, UV protected, climate and humidity-controlled California History Room at the Monterey Public Library, the facility is maintained to high document preservation standards, while allowing public access through City’s museums, Cultural Arts and Archives Manager, trained librarians, and through document finding aids within the Library’s online catalog, accessible at www.monterey.org/library.

The Civil Grand Jury asked Monterey City the following two update questions regarding their 2017 response to F3:

1. Does the possible remodel/rebuild of the Monterey Library affect the City’s response?
2. Have there been any other changes in the city, since the original report was published, that would affect the City’s response?

The City of Monterey’s response to both questions was that there is no change to their 2017 responses.

City of Monterey's 2017 response to R1:

The recommendation has been implemented for the City of Monterey. The Monterey Public Library catalogs and indexes historical documentation, and documents finding aids, through the Library's online catalog, accessible at www.monterey.org/library. The Museum Division catalogs many historical items through the Library's online catalog, while maintaining others in the Division's online art and artifact database, [PastPerfect](#)⁴, which is not accessible to the public.

The Civil Grand Jury asked the following two questions regarding their 2017 R1 response:

1. Does the possible remodel/rebuild of the Monterey Library affect the City's response with respect to the Historic Preservation Room?
2. Have there been other changes in the city, since the original report was published, that would affect the City's response?

The City of Monterey's response to both questions was that there is no change to their 2017 responses.

City of Monterey's 2017 response to R2:

This recommendation will not be implemented because it is not reasonable. It would be very challenging to have each city and all county historical agencies agree upon one shared index for use, due to each agency having distinct missions, patron needs, fiscal realities, purchasing and technological requirements. As an example, currently there are at least four different online indexes used by these types of organizations, and even those who use the same index service (e.g., Koha, PastPerfect) have different versions which are not able to work seamlessly with each other. Management and funding of a shared index is also a considerable project. In the 1990s and early 2000s public libraries across Monterey, San Benito and Santa Cruz counties received State Library

⁴ <https://museumsoftware.com/>

funding to support a shared library index which drew from their different online catalog systems. It became cost-prohibitive to support and maintain after State Library funding was reduced, with few users to justify the increasing costs. It was discontinued in the mid-2000s.

The Civil Grand Jury asked three questions regarding the City's 2017 response to R2:

1. Has this been accomplished?
2. Do the responses by the County Board of Supervisors, the County Recorder, and the City of Salinas affect the City's response?
3. Has there been any advances in technology that you are aware of that would affect the City's response?

Regarding the three questions relating to R2, the City of Monterey said there would be no change to their 2017 responses. They additionally noted that while the Monterey Public Library's catalog and index of historical documents is accessible through the Library's online catalog, the Museum's index utilizing PastPerfect is not accessible to the public.

The Civil Grand Jury observed that the City of Monterey commissioned [Group 4 Architecture](#)⁵ to create the "Monterey Public Library Feasibility Study" which was published in the Spring of 2020. The study was presented to the Monterey City Council in October 2020 and sets the direction for the library expansion and renovation in the future, according to the Monterey Public Library website [Facility Feasibility Study](#). However, that study did not include a Preservation Needs Assessment of the type recommended by the CPP. The Civil Grand Jury found no evidence that the City of Monterey has had a "Preservation Needs Assessment" completed by the CPP, or other qualified source, in a manner similar to the one commissioned by the City of Salinas. As noted above in the Salinas section of this report, the CPP states that a needs assessment is an essential first step to create a plan for enhanced collection care and is often a required step for preservation grant funding.

⁵ <http://www.g4arch.com/>



Monterey County Assessor-County Clerk-Recorder:

The Civil Grand Jury asked the Monterey County Assessor-County Clerk-Recorder to provide updates specifically to Finding 4 and Recommendation 3 from the 2017 Report based on the following questions:

1. Has there been any follow-up activity?
2. If so, please elaborate?
3. If not, please explain the delay and provide a revised timeline.

Monterey County Assessor-Clerk-Recorder's 2017 response to F4:

The Assessor-County Clerk/Recorder agrees partially with this finding. The volumes referenced are located in the County Clerk/Recorder's public access area and represent only a small number of books maintained by the Office. These books have already been digitized and although customers are currently free to view these books on their own, the viewing area is subject to constant supervision and monitoring by way of a close circuit video camera surveillance system. In the very near future these volumes, as suggested and agreed upon, will be stored off-site and will be available only in supervised and arranged conditions.

The Monterey County Assessor-Clerk-Recorder responded with an update to Finding 4 stating that, with the exception of thirty-one books, all of the books referred to in the

Finding have been preserved by a company called [Kofile](#)⁶ and they are now housed in the “Monterey County Records Retention” facility located in Salinas. Additionally, they indicated that the remaining thirty-one books will be sent to Kofile for preservation during fiscal year 2021-2022 and upon return the preserved books will be housed at the Monterey County Records Retention facility. They also stated that the retention facility does not need special temperature and humidity control because the temperatures maintained in the facility and the average humidity in Salinas are within acceptable parameters.

Monterey County Assessor-Clerk-Recorder’s 2017 response to R3:

The Monterey County Clerk/Recorder's Office agrees that all historical documents should be stored in humidity and temperature-controlled environments. This would require working with the State and the County to find the best viable way of providing funding for such a facility or adding humidity and temperature control components to our existing Records Retention facility. Such a financial burden cannot be imposed solely upon persons who are currently requesting documents from the Monterey County Clerk/Recorder’s Office.

The Monterey County Assessor-Clerk-Recorder responded with an update to R3 by reiterating that no special temperature and humidity controls are necessary at its retention facility. They also stated that each Monterey County department is responsible for the maintenance and preservation of its own historical records and that each department decides where to house those documents. The Monterey County Assessor-Clerk-Recorder has housed their documents in the Monterey County Records Retention facility since 2017 and maintain that they have had a very positive experience with the facility in all ways.

Finally, the Monterey County Assessor-Clerk-Recorder stated that no additional funding is currently necessary in order to preserve documents properly.

⁶ <https://kofile.com/>



Founding painting of Father Serra's first Mass, by Leon Trousset, 1877, oil on canvas, 53"x72" ¹

Monterey County Board of Supervisors:

The Civil Grand Jury asked the Monterey County Board of Supervisors to provide updates to the 2017 Report in a manner similar to the other entities discussed in this report.

The Monterey County Board of Supervisors did not respond.

FINDINGS

City of Salinas:

- F1. The City of Salinas is to be commended for taking the step of having a "Preservation Needs Assessment of the Local History Collection in the Salinas Public Library" report completed by Barclay Ogden of the California Preservation Program which contains Findings and Recommendations specific to the preservation needs of the City.

- F2. The City of Salinas is to also be commended for their continuing efforts to complete the assessment of their historical records with a completion goal of August 2022.

- F3. The City of Salinas is to also be commended for working with the cities of Pacific Grove, Monterey, Carmel, San Juan Bautista along with Monterey County Free Libraries on a study to determine if a shared integrated library system is feasible.

City of Monterey:

- F4. The City of Monterey commissioned Group 4 Architecture to create the “Monterey Public Library Feasibility Study” which sets the direction for library expansion and renovation in the future. That study did not include a Preservation Needs Assessment, of the type recommended by the CPP, to address the temporary relocation of the California History Room documents and artifacts during the construction of the Library remodel/addition which could lead to those historical items being stored in a way that could be damaging.
- F5. The City of Monterey commissioned Group 4 Architecture to create the “Monterey Public Library Feasibility Study” which sets the direction for library expansion and renovation in the future. That study did not include a Preservation Needs Assessment, of the type recommended by the CPP, to address the requirements for the California History Room’s permanent location in the new Library which could lead to a design that is sub-optimal.
- F6. California Preservation Program states that a needs assessment is often a required step for preservation grant funding. A Preservation Needs Assessment for the City of Monterey Library’s history collections, like the one commissioned by the Salinas Public Library, could help the City of Monterey obtain grant funding for the Library renovation.

Monterey County Assessor-Clerk-Recorder:

- F7. The Monterey County Assessor-Clerk-Recorder is to be commended for having all but thirty-one books preserved by Kofile along with their continuing efforts to have the remaining thirty-one books sent to Kofile for preservation by FY 2021-2022.

RECOMMENDATIONS

City of Monterey:

- R1. The Civil Grand Jury recommends that City of Monterey City Council have a Preservation Needs Assessment of the Monterey Public Library's History Collections completed from a qualified source, to include, but not limited to:
- i. The specific requirements for the new California History Room in the renovated Library in order to ensure the documents are protected and preserved
 - ii. The specific requirements for the protection and preservation of the Historical Documents and Artifacts for their relocation during the Library renovation
 - iii. Space requirements to bring as many of the City's historical collections together as feasible in order to consolidate and preserve the collections. The Assessment may also aid in the City's ability to obtain grant funding for the Library renovation.

This Assessment should be completed 30 days prior to publishing the RFP for the professional design services for the Library Renovation project so it can be included in the Request For Proposal. (F4, F5, F6)

REQUIRED RESPONSES

Pursuant to Penal Code §933 and 933.05, the Civil Grand Jury requests responses as follows:

From the following elected officials within 60 days:

- The City Council of the City of Monterey
Findings: F4 – F6
Recommendations: R1

INVITED RESPONSES

- The City Council of the City of Salinas
Findings: F1 - F3
- Monterey County Assessor-County Clerk-Recorder
Findings: F7

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Civil Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.