



CITY OF DEL REY OAKS

650 CANYON DEL REY RD. · DEL REY OAKS, CALIFORNIA 93940
PHONE (831) 394-8511 · FAX (831) 394-6421

The Honorable Stephanie E. Hulsey
Judge of the Superior Court of California
County of Monterey
240 Church Street
Salinas, CA 93901

August 25, 2020

Re: Response regarding sexual harassment prevention and training compliance.

Dear Judge Hulsey,

This letter is written in response to the June 29, 2020 Monterey Civil Grand Jury Final Report – Sexual Harassment Prevention and Training Compliance (the “Report”), and shall serve as the City’s response pursuant to Penal Code sections 933 and 933.05. The responses contained in this correspondence were approved by the City of Del Rey Oaks City Council at its regular meeting of August 25, 2020.

The City of Del Rey Oaks understands its responsibility in the prevention of sexual harassment and the completion of mandated training compliance as set forth in AB1825. The recent Civil Grand Jury report regarding Sexual Harassment Prevention and Training Compliance made two findings regarding the City’s training and compliance. The City’s comments follow in the order that they were presented in the Report. The Report’s findings and recommendations are displayed in **bold** type. The Report’s two findings, numbered **F5** and **F6**, are as follows:

F5. The City of Del Rey Oaks has not ensured that every employee who is required to take AB 1825 training completes that training in a manner and at a time as required by law.

AGREE.

F6. The city has not provided their employees with an updated and accurate Personnel Manual that includes all AB 1825 and related training materials.

AGREE.

The Grand Jury also required the City of Del Rey Oaks respond to the following recommendations made in the report:

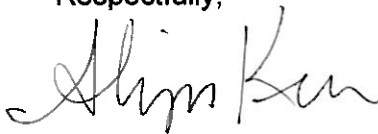
R3. By December 31, 2020 those Del Rey Oaks supervisory employees who received AB 1825 training in 2018 should have completed the training again, as law mandates the training must be completed every two calendar years, or every 24 months, whichever method is chosen by the employer.

This recommendation has been implemented. It should be noted that the entire executive staff of the City of Del Rey Oaks, including the City Manager and the Chief of Police, was replaced starting in early 2017 and continuing into late 2018. Additionally, half of the City's supervisory staff were hired and/or promoted in 2018, well into the investigation period covered by this report. It should also be noted that in the time since the investigation, until the final report was distributed, all supervisory employees have completed required training and the City is in compliance with AB 1825 mandates regarding required training.

R4. By September 30, 2020, Del Rey Oaks should have published an updated Personnel Manual that references current law on harassment of all types and on mandated harassment training. Del Rey Oaks should make the revised manual available to all employees.

The recommendation has not yet been implemented, but the City will implement this recommendation. During the course of this investigation, the City invested in Human Resources consulting efforts to update and improve all HR functions, including the delivery and documentation of mandatory training, as well as completing and issuing an updated and compliant employee personnel manual which will have the required AB 1825 updates. The City is currently researching and reviewing options for the construction and distribution of an updated AB 1825 compliant personnel manual. The City has very limited staff, and is utilizing contract services in order to provide this manual as quickly as possible, with a target timeline of late 2020.

Respectfully,

A handwritten signature in black ink, appearing to read "Alison Kerr". The signature is fluid and cursive, with the first name "Alison" written in a larger, more prominent script than the last name "Kerr".

Alison Kerr
Mayor



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The Honorable Stephanie E. Hulsey
Judge of the Superior Court of California
County of Monterey
240 Church Street
Salinas, CA 93901

August 25, 2020

Re: Overdue Responses to the 2018/2019 Civil Grand Jury Report

Dear Judge Hulsey,

This letter is written in response to the June 29, 2020 Monterey Civil Grand Jury Final Report – Overdue Responses to the 2018/2019 Civil Grand Jury Report, and shall serve as the City's response pursuant to Penal Code sections 933 and 933.05. The responses contained in this correspondence were approved by the City of Del Rey Oaks City Council at its regular meeting of August 25, 2020.

The City of Del Rey Oaks understands its responsibility in responding promptly to Civil Grand Jury report findings and recommendations. The recent report regarding overdue responses to the 2018/2019 Civil Grand Jury report maintained that the City of Del Rey Oaks did not respond promptly to the 2018/2019 Civil Grand Jury Report – *Rape Kit Processing in Monterey County* (the "Report"). The City's comments follow in the order that they were presented in the Report. The Report's findings and recommendations are displayed in **bold** type. The Report's only finding, numbered F3, is as follows:

F3. The City of Del Rey Oaks prepared a timely response but failed to follow-through by mailing out the duly approved response and letter in a timely manner.

DISAGREE. While the Civil Grand Jury advised that they did not receive a response in a timely manner, the City contends that it did respond promptly by mailing a response shortly after the Del Rey Oaks City Council approved its response at its August 19, 2019 City Council meeting.

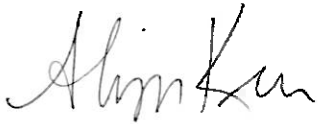
The Grand Jury also required the City of Del Rey Oaks respond to the following recommendation made in the report:

R3. The City of Del Rey Oaks should develop and implement new procedures (if none currently exist), and review existing procedures for responding to the Civil Grand Jury's findings and recommendations to ensure the City's response is delivered to the presiding judge on or before the due date. These procedures should be developed and implemented within 90 days of the publication of this report.

This recommendation has been implemented. The City of Del Rey Oaks has long-standing

procedures for processing actions that are approved by the City Council, including responses to Civil Grand Jury reports. This process consists of an action item list prepared by the City Clerk's Office after City Council meetings. These action items are then executed by the proper staff within the necessary timelines required. These procedures were reviewed with the City Clerk's Office staff and it was determined they were adequate for timely response purposes.

Respectfully,

A handwritten signature in cursive script, appearing to read "Alison Kerr".

Alison Kerr
Mayor