

# MONTEREY COUNTY




## COUNTY ADMINISTRATIVE OFFICE

LEW C. BAUMAN  
COUNTY ADMINISTRATIVE OFFICER

168 W ALISAL ST, 3<sup>RD</sup> FLOOR  
SALINAS, CA 93901-2680  
(831) 755-5115  
FAX (831) 757-5792  
[www.co.monterey.ca.us](http://www.co.monterey.ca.us)

September 2, 2014

The Honorable Marla O. Anderson   
Presiding Judge of the Superior Court  
Monterey County Superior Courts  
240 Church Street  
Salinas CA 93901

**SUBJECT: Response to 2013-2014 Monterey County Civil Grand Jury Final Report No. 6 – “Monterey County Website Issues”**

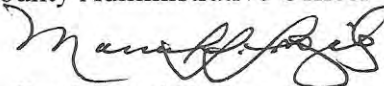
Dear Judge Anderson:

Attached please find the Monterey County Board of Supervisors Response to the 2013-2014 Monterey County Civil Grand Jury Final Report No. 6 “Monterey County Website Issues” and the signed Board Order. The Board of Supervisors approved the response on August 26, 2014, which complies with the requirements set forth in Sections 933 and 933.05 of the California Penal Code.

The Board approved response should be deemed and accepted by the Presiding Judge of the Superior Court of Monterey County and the Monterey County Civil Grand Jury as the response of the Board of Supervisors, County Administrative Officer, and appointed department heads.

Sincerely,

Lew C. Bauman  
County Administrative Officer



By: Manuel T. González  
Assistant County Administrative Officer

MTG:cj

cc: Lew C. Bauman, County Administrative Officer  
Office of the County Counsel

Attachments: Board of Supervisors Response  
August 26, 2014 Board Order

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**SUBJECT: Response to 2013-2014 Monterey County Civil Grand Jury Final Report No. 6 – “Monterey County Website Issues”**

Dear Judge Anderson:

Attached please find the Monterey County Board of Supervisors Response to the 2013-2014 Monterey County Civil Grand Jury Final Report No. 6 “Monterey County Website Issues” and the signed Board Order. The Board of Supervisors approved the response on August 26, 2014, which complies with the requirements set forth in Sections 933 and 933.05 of the California Penal Code.

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Lew C. Bauman  
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Assistant County Administrative Officer

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cc: Lew C. Bauman, County Administrative Officer  
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August 26, 2014 Board Order



**Monterey County Board of Supervisors**

**Response to the**

**2013 Monterey County Civil Grand Jury  
Interim Final Report No. 6**

**August 26, 2014**

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**REPORT TITLE:** Monterey County Website Issues  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Findings F-1, F-2, F-3, F-4, F-5, and F-6

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**Finding F-1:** We have been advised that the Monterey County website is hosted on the servers at the County IT Department. These hosting costs are borne by the County IT Department. With central direction and input as to the content desired from the County Public Information Officer (PIO), the IT department creates and maintains the home page and initial basic access and design features.

**Response F-1:** The Board agrees with the finding.

**Finding F-2:** Some of the County departments appear to create and maintain their own sections of the website, and some even host those sections elsewhere than on the Monterey County IT servers, at third party sites. The IT department staff of technicians, web developers and graphic artists is available for technical assistance to the County departments upon request, for a fee chargeable to the requesting agency.

**Response F-2:** The Board agrees with this finding. The Information Technology Department (ITD) has a limited staff associated with the development and maintenance of sections of the County website. Should department needs grow, staffing levels would need to be increased.

**Finding F-3:** In our review process of the Monterey County website, we felt it valuable to compare our user experience with that website to our experiences with three other California counties, representing a cross section of size, population and economies. We were also interested in how the website activities were funded. We arbitrarily selected the Kern County, Marin County and Placer County websites as examples. Kern is twice the population of Monterey County but has similar sized businesses and agricultural activities, cities, and large unincorporated areas under county jurisdiction. Marin has half the population of Monterey County and fewer agricultural areas, but has similar major governmental concerns. Placer County was selected since it has nearly the same population, business and agricultural activities as Monterey County and has an excellent, well presented website that we felt Monterey County could learn from by example.

**Response F-3:** The Board agrees with this finding. It observes that each county identified in this finding has approached presentation of information in different ways. Kern County utilizes a traditional web design approach; Marin employs a more contemporary approach utilizing very standardized design templates, and Placer County provides a design that is responsive to the device used to visit the website.

**Finding F-4:** From this review we also learned that Placer County has created, and apparently maintained, an Administrative Services Department, *within which* IT exists as a General Fund Division with responsibility for maintaining and operating the Placer County website. While we do not suggest that the IT department should be part of another larger department, we do think it useful to quote and consider the clear purposes stated in the 2013-14 Placer Proposed Budget. It says:

“In order to maintain the level of services the County provides to its citizens, future investment in technology replacement will be an important consideration for ensuring the County’s continuity of operation. For example, progress on the County’s website redesign and functionality from a Department-centric site to a Public-centric site continues. Last year alone the website had over 2.4 million visits, resulting in more than 7.7 million pages being viewed. The website will focus on helping people accomplish their primary tasks quickly and easily. Content will be consolidated, organized, and user intuitive. Menus and navigation tools will be organized in a way that simplifies the use of the County’s website.”  
*Page 108*

In our judgment, this budgeting approach, as opposed to Monterey’s Zero-based budgeting, creates an environment that is more conducive of cooperation and consistency of the website because of cost sharing, while this budget method also places on each department content responsibility and determining for itself what the citizens need from it. It allows the website to serve not only the public but also its county employees, in sections of the website created solely for them and not available to the public. On the other hand the Monterey County method of funding costs, quoted on its County website, discourages this cooperative environment.

**Response F-4:** The Board disagrees partially with this finding. It agrees that content management of the departmental sites should be the responsibility of the individual departments as they are the experts in identifying areas of need for their respective customers. However, the overall support of the public centric web environment should be the responsibility of ITD, working in collaboration with the department and public content coordinators. ITD is currently available to support those departments at standard billing rates should they need assistance. The Board will consider all available fiscal mechanisms to provide funding for these activities

**Finding F-5:** The Monterey County Budget 2013-14 document describes the current method of funding the Information Technology Department (“ITD”) as follows:

“ITD is a zero General Fund Contribution department where its budget is solely based on the revenue generated through the services rendered to its clients.”

**Response F-5:** The Board agrees with this finding. The County budget currently describes ITD funding in this manner.

**Finding F-6:** We also feel that the Marin and Kern county websites are more representative of what the CGJ believes the Monterey County website should look like and how it should function, once some standard principles of development and operation, and rules for responsibility for information and accuracy, are adopted and applied. We acknowledge that this will take considerable time and patience on the part of the many people and departments involved.

**Response F-6:** The Board agrees with this finding. Ongoing re-design of the County website has and will continue to involve considerable investment of County resources. The current website evolved from a basic experiment in the early stages of web presence. Over time, the internet site has been limited to basic information flows to the citizens of the County. Today, the site contains large amounts of information specific to individual County departments. Given the need to tailor information to the disparate, unique business missions

of the various County departments, there are variations in consistency and style. Notwithstanding, the County website serves up over 1,000,000 page views per year with approximately 25 percent new visitors and 75 percent return visitors.

The County is currently redesigning the Monterey County Portal and developing templates on a new software and hardware platform. The project completion date is early 2015. The County's site will provide consistent navigation using standard templates and style sheets, an overall search function, language translation functionality, and content management tools. Website management tools are currently being installed to oversee accurate data links and basic grammatical accuracy of content.

**REPORT TITLE:** Monterey County Website Issues  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Recommendations R-1, R-2, R-3, R-4, R-5, and R-6

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**Recommendation R-1:** The CGJ is not an advocate of complex sets of rules and procedures imposed on each of the County departments and agencies, since this creates time consuming and expensive requirements that makes government less responsive to its citizens. However, in this situation there needs, at least, to be: (a) a commonly agreed upon set of written principles governing the creation and design, information presentation and templates to be used; (b) a provision for review by some designated party, such as the IT website head, for compliance before posting of new sections; and (c) a requirement that each department regularly review, and correct errors, in those materials that have been posted for accuracy and currency of the information. These principles need to be worked out by a representative committee consisting of managers of IT functions in each department, and the CAO or one of his deputies, and chaired by the IT department representative who is most likely to have the technical expertise necessary.

**Response R-1:** The Board responds that this recommendation is being implemented. The general organizational approach of this recommendation is being adopted. In order to establish core principles of website presentation, a subcommittee consisting of representatives from individual County Departments was formed; it has provided both internal County personnel and external community input on the website. Additional outreach groups are being formed which will continue soliciting input. The County is also being assisted by a vendor with expertise in website design and development. Recommendations regarding design standards and style will be submitted to the County's Information Technology Governance Committee, a subcommittee of Department Heads, for review. Design standards and core website principles will ultimately be adopted by all Department Heads, ensuring consistency of design; changes to the basic website style will follow the same path for organized review and approval.

**Recommendation R-2:** The guiding principle should make clear that it is up to each department to decide what public information about its operations is relevant and useful for posting. This then places the responsibility on departmental management for their portion of the County website. There is, however, certain minimum information that should always be there – such as listing department functions and services available to the public, contact information in the form of telephone numbers and at least one central email address to reach the department, physical addresses of facilities, and perhaps a location map. Most departments should also list the names and functions of its personnel so the public can ascertain whom to contact within a given group.

**Response R-2:** This recommendation is being implemented. The Board concurs that guiding principles regarding uniformity in presentation and content are advisable; they will be included as part of the basic design of website templates packages submitted for approval by Department Heads.

**Recommendation R-3:** In order to create and operate a departmental section of the website, these rules need to provide permission for each department to contract out the development and/or operation of their section of the County site where necessary or more cost effective, but that any



such development/operation entity contractually be required to conform with the template and technical specifications adopted by the website study committee. The contracts entered into with third party developers must also obligate them to follow the County general website rules and procedures, including Privacy and Data Breach laws as previously established by County Counsel and the IT department for protection of the County and its citizens.

**Response R-3:** This recommendation is being implemented. The Board responds that vendor contracts, including contracts for website development and operation, are drafted and reviewed to ensure they promote efficiency and safeguard County interests, including its interest in data privacy and security.

**Recommendation R-4:** These rules should specify that the IT department, on behalf of the County, has the right to examine all developed materials and changes, other than merely updated data, prior to posting or use, and to certify or reject the proposed materials and changes for failure to comply with the common standards. New materials or sections that do not comply may need to be modified. In order not to delay important changes, time limits for review and compliance need to be established.

**Response R-4:** This recommendation is being implemented. The Board responds that ITD, in cooperation with the Departments, will review website materials and proposed changes for compliance with common standards.

**Recommendation R-5:** In all instances of development and operation of the various departmental website sections, including the initial entry page to the website, careful consideration needs to be given to compliance with the multitude of Federal and State Privacy and Data Breach laws. The cost of non-compliance in the form of penalties, fines and class action litigation that might be incurred can be significant, to the point that in worst case situations, a major data breach of the County website and /or the IT department could bankrupt the County. We therefore suggest that a standing procedure for regular consultation with County Counsel be established, so that Counsel is aware of what legal notices are posted, what a third party development and operation contracts exist or are contemplated, and that the departments are promptly apprised of the continual changes in these complex Privacy laws.

**Response R-5:** The Board responds that this recommendation is being implemented. Resources are being committed to obtaining additional County Counsel training and education in the area of data privacy and security. County Counsel currently reviews contracts for legal compliance with applicable laws and is available to review website and other issues for County Departments. Departments are encouraged to regularly consult with County Counsel regarding changes in legal requirements, including the legality of website postings.

**Recommendation R-6:** Finally, we believe that the Board of Supervisors and the CAO should consider changing the current Zero Basis Budgeting of the IT department, for its duties involving website presentation and development, by adopting the so-called Enterprise Funding method. Under this method, each department would be required to pay at least a portion of the cost of development and of changes to the ITD for each budget year (based on head count). This would ensure a stronger

financial incentive for the County Departments to work with the IT department rather than with outside developers. In addition, in most cases it makes no sense for the various departments to electronically host their own sections of the website or to contract out such duties to third party vendors. It is also far more cost effective to have the IT department serve as the central contact point for the website and to have the obligation of maintaining the initial, opening pages, which pages likely have general comments on how the County is organized, much of which information will likely be provided by the CAO and the County PIO. (See, the example above of how the Placer County website handles this.)

**Response R-6:** This recommendation requires further analysis. The Board will consider all available fiscal mechanisms to provide funding for website development and maintenance.



## Monterey County

### Board Order

168 West Alisal Street,  
1st Floor  
Salinas, CA 93901  
831.755.5066

Upon motion of Supervisor Parker, seconded by Supervisor Salinas and carried by those members present, the Board of Supervisors hereby:

- a. Approved the response to the 2013 Monterey County Civil Grand Jury Interim Final Report No. 6; and
- b. Directed the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by September 12, 2014.

PASSED AND ADOPTED on this 26th day of August 2014, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Parker and Potter

NOES: None

ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 77 for the meeting on August 26, 2014.

Dated: August 26, 2014  
File Number: 14-933

Gail T. Borkowski, Clerk of the Board of Supervisors  
County of Monterey, State of California

By Denise Hancock  
Deputy