



County of Ventura
County Executive Office
MEMORANDUM

DATE: August 23, 2006
TO: John F. Johnston
FROM: Suzy Watkins
SUBJECT: Response to 2005-2006 Ventura County Grand Jury Report No. 5
entitled "Channel Islands Harbor" on Behalf of the Board of
Supervisors and County Executive Office

Following are responses to the findings and recommendations of the 2005-2006 Grand Jury Report. Responses are directed to Recommendations 1 through 7 of the report.

Assignment of Harbor Department Leases

R-01. The County should inform leaseholders that, when they are considering assigning, or transferring a lease, they should make clear during this process that the County does not assist in making the seller's selection of a buyer, but is only kept informed of the proceedings. The County should, during the process, clarify that the County can only approve those lease changes after they have been made if the County determines they are in the best interest of the County (i.e. the proposed new lessee is sufficiently capitalized and has the necessary expertise to operate the property they are assuming). (C-02)

Response: The Board of Supervisors concurs with the recommendation. Requirements for transfer of leases are and have been included in lease documents since the Harbor's inception. The Board also concurs that the lessee has the responsibility to inform potential lease assignees that the County's role is limited to approval, after the lessee makes a selection.

Channel Islands Harbor Management

R-02. All future Harbor Commission meetings should be video recorded as well as minutes taken and published. (C-12)

Response: The County Executive Officer concurs with the recommendation. The County has arranged for video recording of Harbor Commission meetings, beginning with the meeting of March 15, 2006.

R-03. The Harbor Commission should have minutes taken for all future meetings by a secretary who is not a member of the commission, as required by Robert's Rules of Order, which the Harbor Commission has adopted as the format for conducting the Harbor Commission's meetings. (C-12)

Response: The County Executive Officer concurs with the recommendation. A Harbor Department staff member is assigned to take minutes for Harbor Commission meetings.

R-04. The Harbor Commission should use a broader forum in notifying the public of future meetings and cancellations of meetings to increase attendance and interest by the public. (C-12)

Response: We partially agree with the recommendation. Current Harbor Department practices for noticing Harbor Commission meetings comply with and exceed the requirements of the Brown Act. The County will continue to evaluate whether additional forums for meeting notification may help increase public attendance and interest.

R-05. The Harbor Department website should include a section devoted to the Harbor Commission agendas, minutes, meeting dates, and locations. (C-12)

Response: Concur. The Harbor Department is in the process of evaluating modifications to the department website to accommodate posting Harbor Commission items for the convenience of the public. The Department will continue to post agendas at the Harbor Department offices and County Government Center for purposes of Brown Act compliance.

Allegations of Mismanagement by the Harbor Department

R-06. When Ventura County Supervisor districts are next redrawn (which should be completed by 2010 after the next census), they should be made compact, eliminating narrow road width wide strips, to connect one area of a supervisor's district to another area for the same district. (C-19)

Response:

The Board of Supervisors supports the recommendation of the Ventura County 2005-2006 Grand Jury, R-06, and has directed that the recommendation be forwarded to the County Planning Department and noted in the file for consideration when the 2010 redistricting process commences.

R-07. Any public official, agency, or department head, county employee or a member of the public who chooses to make any allegations regarding mismanagement or malfeasance of county management should either state that their allegation is based on their opinion, unless the individual can provide specific factual documentation at the time the allegations are made. (C-17, C-18)

Response:

The Board of Supervisors strongly agrees with the Grand Jury's recommendation R-07. The Board recognized that, particularly when we speak from the dais, we have the ability to dramatically tarnish an individual or company's reputation.

Our Board stands against the inherently unfair practice of making public accusations that are claimed to be supported by evidence, but then withholding the evidence. Such a practice makes it impossible for the accused to defend themselves against groundless accusations.

The Board agrees with the Grand Jury that if a Board member is going to make an allegation of malfeasance, they have a responsibility to promptly and publicly provide the evidence at the same time they make the public allegation.