



CITY OF MANTECA

MANTECA CITY COUNCIL
WILLIE WEATHERFORD, MAYOR
VINCENT HERNANDEZ, II, COUNCILMAN
JOHN W. HARRIS, COUNCILMAN
DEBBY MOORHEAD, COUNCILWOMAN
STEPHEN DeBRUM, COUNCILMAN

December 22, 2010

The Honorable William J. Murray, Jr.
Presiding Judge
San Joaquin County Superior Court
222 East Weber Avenue
Stockton, CA 95202

Re: Response to 2009-10 Grand Jury Final Report – Case No. 0609

Dear Judge Murray:

The City of Manteca is in receipt of the above-noted 2009-10 Final Reports. On December 21, 2010, the Manteca City Council voted to authorize me to send the City's response to the above-referenced Grand Jury report issued in June 2010, consistent with Penal Code Sections 933 and 933.05.

Findings:

F1. Not all cities in our County are not (sic) utilizing analytical software:
Response: Manteca is utilizing analytical software.

F2. Website content and external link policy were not present in all cities.
Response: Manteca has no formal policy in place, though links to other government agencies and non-profits are allowed. At a later date, the City should adopt a formal link policy.

F3. Not all cities maintain a budget line item for their city website.
Response: Website is maintained in house – no specific line item is needed.

F4. A cohesive process to review the website content pertaining to individual departments was not present in all cities.
Response: As Manteca moves to the SharePoint platform, a workflow process will help to control this. Departments should have some autonomy in deciding what content is posted, while formatting should be standardized.

Recommendations:

R1. Cities implement analytical software for their websites and monitor the reports generated.
Response: Agree. Manteca already utilizes analytical software and monitors reports.

R2. Cities draft and institute a policy to govern the city website's external content. This policy must be revisited annually to make changes due to market conditions.

Response: Agree. Manteca should draft a policy pertaining to external web links.

R3. Cities implement a specific line item in the annual budget proposal that addresses maintenance, upkeep and future upgrades of city website.

Response: Agree. Manteca already budgets for annual web-related maintenance, and can include a line item specifically focusing on these items.

R4. Cities implement an annual review of each department represented on the city website that includes a departmental evaluation of their documents and the relevance to the users of the city government website.

Response: Disagree. Manteca maintains that the content for each department shall be up to each department, provided the general presentation is consistent with the rest of the site.

Sincerely,

Willie W. Weatherford/jlt

WILLIE W. WEATHERFORD

Mayor

C: Manteca City Council
City Manager
City Attorney



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December 22, 2010

The Honorable William J. Murray, Jr.
Presiding Judge
San Joaquin County Superior Court
222 East Weber Avenue
Stockton, CA 95202

Re: Response to 2009-10 Grand Jury Final Report – Case No. 0909A

Dear Judge Murray:

The City of Manteca is in receipt of the above-noted 2009-10 Final Reports. On December 21, 2010, the Manteca City Council voted to authorize me to send the City's response to the above-referenced Grand Jury Report issued in June 2010, consistent with Penal Code Sections 933 and 933.05.

Findings:

F15. Manteca: IT has a comprehensive written Disaster Recovery Plan.

Response: Agree.

F16. Manteca: IT department encrypted the hard drive on all laptops.

Response: Agree.

F16. Manteca: IT anticipates the completion of emergency power connection to the data center by July 1, 2010.

Response: Project is under construction. Estimate completion by January 31, 2011.

Recommendations:

None for Manteca.

Sincerely,

Willie W. Weatherford / jst
WILLIE W. WEATHERFORD
Mayor

C: Manteca City Council
City Manager
City Attorney

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The Honorable William J. Murray, Jr.
Presiding Judge
San Joaquin County Superior Court
222 East Weber Avenue
Stockton, CA 95202

Re: Response to 2009-10 Grand Jury Final Report – Case No. 1009

Dear Judge Murray:

The City of Manteca is in receipt of the above-noted 2009-10 Final Report. On December 21, 2010, the Manteca City Council voted to authorize me to send the City's response to the above-referenced Grand Jury Report issued in June 2010, consistent with Penal Code Sections 933 and 933.05.

Findings:

F1. Some legislative bodies do not follow policies and procedures for BCC appointments. The Grand Jury is aware of at least one instance where an appointee was not required to complete an application prior to appointment.
Response: Manteca is not aware of any incidents where a potential BCC member has not completed an application. On rare occasions when no one has submitted an application, the Mayor has suggested a resident for appointment, which has then been discussed by the full Council in a properly noticed public meeting.

F2. Brown Act and fiduciary responsibility training is not routinely offered for BCC.
Response: Although not routinely offered, Brown Act training has been provided on occasion to various BCCs. Formal fiduciary training is not, nor should it be, required for all BCCs, since this area is outside the purview of most BCCs.

F3. Recruitment for vacant BCC appointments lacks initiative.
Response: Manteca advertises vacancies for BCCs in the local newspaper, posts on local government-access cable channel and posts on the City's website. City staff also notifies BCC incumbents of any vacancies. In addition, staff presents upcoming vacancies to the City Council at publicly noticed meetings prior to soliciting applications, further promoting the vacancies.

F4. BCC appointee performance is rarely reviewed.

Response: The Mayor and Council members sometimes take it upon themselves to review, as they see appropriate, performance by BCC members, prior to considering members for reappointment.

F5. Policy for BCC appointee removal is not always defined.

Response: Disagree. Manteca's BCC policy states: "Unexcused absence from three consecutive meetings or five or more regular meetings in any 12-month period shall result in the position being vacated subject to any appeal process adopted by the City Council. Excused absences shall include illness, medical reasons, confirmed conflicts of interest, illness of family members or one's business necessitating one's absence. The member should notify the Chairman of the committee of the reason for the absence in advance of the meeting if at all possible."

F6. Criminal and credit background investigations are not performed on appointees.

Response: Agree.

Recommendations:

R1. Develop or update policies and procedures for appointment of BCC members.

Response: Agree to develop/update as it may become necessary and as sufficient staffing permits.

R2. Provide and document Brown Act and fiduciary responsibility training to all appointees.

Response: Agree. Manteca currently requires Planning Commission, Recreation and Parks Commission, Senior Advisory Committee and Youth Advisory Commission members to undergo ethics training every other year, and provides BCC members with updated Brown Act information as it becomes available. The City Attorney's Office is also available to all BCC members for questions regarding the Brown Act.

R3. Utilize alternative sources to advertise vacant positions; i.e., Twitter, movie theaters, television, radio, announcements at public events.

Response: Disagree. Due to the lack of available staff and financial resources, Manteca does not believe the time and money needed to pursue these media is a cost-effective or cost-efficient use of public resources.

R4. Annually review appointee performance and take appropriate action.

Response: Disagree. In the event a majority of elected Council members is not satisfied with the performance of any BCC member, the Mayor and Council can elect not to reappoint the BCC member for an additional term.

R5. Develop policy and procedures defining the processes for appointee removal.

Response: Disagree. Manteca already has said policy and procedures in place.

R6A. Develop criminal and credit check standards for appointees.

Response: Disagree. Manteca requires BCC members to file Conflict of Interest statements each year and believes this is sufficient for service on BCCs.

R6B. Perform criminal and credit background checks on all appointees prior to appointment.

Response: Disagree. Manteca requires BCC members to file Conflict of Interest statements each year and believes this is sufficient for service on BCCs.

Sincerely,

Willie W. Weatherford /jlt
WILLIE W. WEATHERFORD
Mayor

C: Manteca City Council
City Manager
City Attorney