

2009-2010 GRAND JURY REPORT

City of Blythe

Background

The City of Blythe is a general law city incorporated July 21, 1916. The city is governed by a city council consisting of five members. Following election by the city at large, the council elects a mayor and a vice mayor, each to serve a two-year term.

The city clerk is elected by the city at large for a term of four years. A deputy city clerk is appointed and sworn into office by the city clerk.

The city clerk's duties are as follows:

- Serves as official custodian of all city records.
- Serves as custodian of the city seal.
- Advertises public hearings, receives and opens all bids.
- Prepares council agendas, under direction of the city manager, and other public meetings and hearings.
- Serves as secretary for the Blythe Redevelopment Agency, the Palo Verde Transit Agency and the Blythe Financing Authority.
- Responds to requests for public records.
- Files conflict of interest statements. Serves as filing officer for fair political practices statements.
- Serves as election officer responsible for conducting city elections.
- Serves as support person for the council.
- Records, transcribes and maintains the official minutes of all council meetings.
- Prepares and presents staff reports at council meetings as required.
- Maintains municipal code books.
- Administers oaths to new city employees.
- Receives and opens bids.

The former city clerk retired from her full-time city position as human resources director, reporting to city manager, and chose not to run for re-election. A new city clerk was elected in a general election held in November 2009.

Findings

1. The former city clerk was derelict in her duties, in that she failed to provide written minutes of city council meetings for a period exceeding one year in violation of Government Code §40801: "The City Clerk shall keep an accurate record of the proceeding of the legislative body and the board of equalization in books bearing appropriate titles and devoted exclusively to such purposes, respectively. The books shall have a comprehensive general index."

The former city council was derelict in its responsibilities in allowing the minutes to fall behind without taking corrective action.

2. The current city clerk is also a full-time administrative secretary for the City of Blythe. She reports to the city manager, which appears to be a conflict of interest.

Recommendations

Blythe City Council
Blythe City Manager

1. The current city clerk should continue to transcribe tapes of prior city council meetings for approval by the city council with a target completion date of July 30, 2010. The city council should ensure that the minutes of a meeting are completed in time to vote for adoption at the next scheduled meeting.
2. The city council should place a measure on the ballot for the next city election, transferring the position of city clerk from an elected to an appointed position, reporting to the city council. Utilizing time in her position as assistant to the city manager to perform clerk duties should not be permitted.