

# MONTEREY COUNTY



## OFFICE OF THE COUNTY COUNSEL

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### CONFIDENTIAL IMMEDIATE ATTENTION REQUIRED

June 7, 2017

*Via Hand Delivery*  
City Librarian, City of Salinas Steinbeck Library  
350 Lincoln Avenue  
Salinas, CA 93901

Re: 2016-2017 Monterey County Civil Grand Jury Final Report – "Preservation of Historical Documents of Monterey County"

Dear Librarian for the City of Salinas Steinbeck Library:

On behalf of the 2016-2017 Monterey County Civil Grand Jury, and pursuant to Penal Code section 933.05(f), I am enclosing for your review the Grand Jury's Final Report entitled "Preservation of Historical Documents of Monterey County", which has been approved for publication.

This report constitutes a Final Report for purposes of Penal Code section 933. The Civil Grand Jury invites you to comment on the report. You may, but are not required to, submit comments on the report to the Honorable, Mark E. Hood, Presiding Judge of the Superior Court, 240 Church Street, Salinas, CA 93901, within ninety (90) days following its transmittal. You are invited to respond to Finding Numbers F 1. – F 3. and F 5. – F 7. and Recommendation numbers: R 1. – R 2. With respect to each finding, please indicate one of the following:

- 1) That you agree with the finding; or
- 2) That you disagree wholly or partially with the finding, in which case you may specify the portion of the finding that is disputed and shall include in the response an explanation of the reasons for the disagreement.

With respect to each recommendation, you may report one of the following actions:

- 1) That the recommendation has been implemented, with a summary regarding the implemented action;
- 2) That the recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation;
- 3) That the recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion (this timeframe not to exceed six months from the date of publication); or

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- 4) The recommendations will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.

Thank you for your attention to these matters; the Civil Grand Jury looks forward to your response.

Sincerely,

By: 

Leslie J. Girard  
Chief Assistant County Counsel

LJG:so

Enclosure

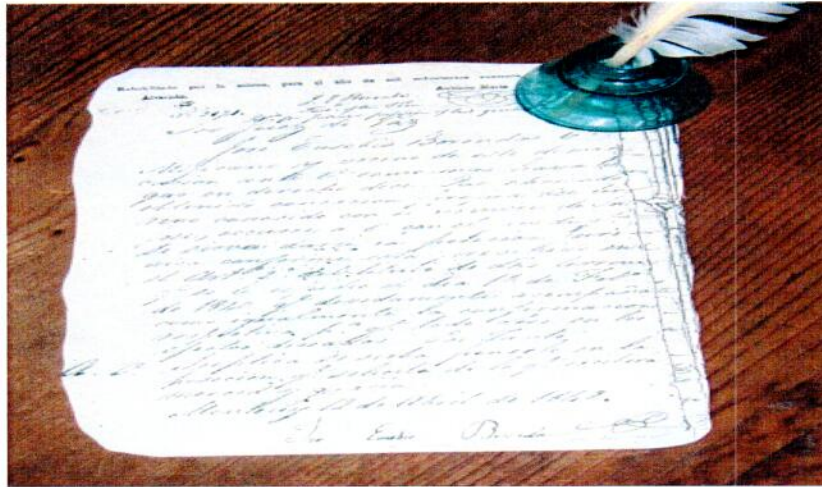
cc: Grand Jury

Mayor Joe Gunter

Salinas City Council

Hon. Mark E. Hood, Presiding Judge

## Preservation of Historical Documents of Monterey County



### Summary:

An investigation was launched into the methodologies of preserving Monterey County historical documents. The investigation was based upon Monterey County Civil Grand Jurists' observations and an inquiry received from the public. These were our questions:

- What types of historical documents exist in Monterey County?
- Who has documents and what types of documents do they preserve?
- How are these documents maintained?
- How are they secured and stored?
- What methods of document storage are employed in Monterey County?
- Are there formally trained employees, i.e. archivists, handling the documents? What are their qualifications?
- Are these documents available to the public?
- Is access to these documents controlled?
- Is there funding available for preserving documents?



## **Background:**

In 1602, Spanish explorer, Sebastian Vizcaino, explored the California coast and his intrepid crew were probably the first Europeans to see our coastline. They camped under an oak tree near what is now Monterey's Lighthouse Avenue tunnel, adjacent to the present-day lower Presidio Historic Park. In 1769, another Spaniard, Gaspar de Portola, sailed up the coast. In 1770, Portola returned with Father Junipero Serra. They landed and held Mass under what, they presumed, was the same oak tree where the Vizcaino expedition had camped. The tree no longer exists, however, there is a small monument of Father Serra, just off Pacific Street, which marks the approximate place where the oak stood. Accounts indicate this coast oak, known as the "Plymouth Rock of California", lived happily into the early 1900s. Local Native Americans, many of whom were indoctrinated into the Catholic Church, planted acorns from the tree. Pieces of the tree have been preserved and stored by both the Diocese of Monterey and the Vatican. One descendant of the tree lived for a time outside the Stokes Adobe in Monterey, site of the Restaurant 1833.<sup>1</sup>

Father Junipero Serra became the first Governor of Alta California, a region which included all of the modern states of California, Nevada, Utah, Arizona, Wyoming, Colorado and New Mexico.<sup>2</sup> Father Serra established nine missions in Alta California between 1769 to 1782. He died in 1784 and was beatified in 1988 by Pope John Paul II. He was later canonized in 2015 by Pope Francis.<sup>3</sup>

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<sup>1</sup> Pacific Grove Natural History Museum, <http://www.pgmuseum.org/blog/2015/6/12/a-tree-and-a-chair>

<sup>2</sup> [https://en.wikipedia.org/wiki/Alta\\_California](https://en.wikipedia.org/wiki/Alta_California)

<sup>3</sup> <http://www.biography.com/people/junipero-serra-9479243>



Founding painting of Father Serra's first Mass, by Leon Trouset, 1877, oil on canvas, 53"x72"<sup>4</sup>

The history of Monterey can be broken down into five major eras consisting of:

1. Native American, prior to 1542
2. European Expeditions 1542 - 1769
3. Spanish Colonial 1769 - 1821
4. Mexican Colonial 1821 - 1848
5. US Territory from 1848 until statehood in 1850

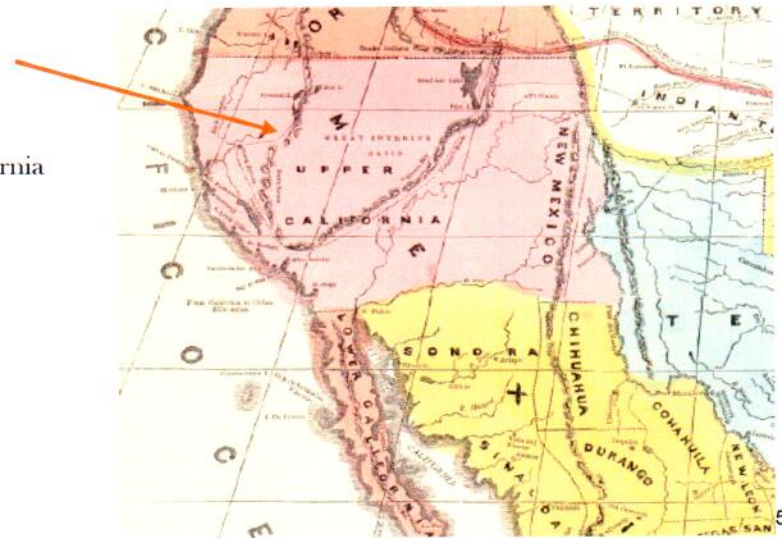
The land holdings in Monterey County were first Ranchos granted by the King of Spain and later granted by the Mexican Government. One of the first Royal Land Grants in Monterey County was El Alisal in 1834 and consisted of 5,941 acres. Under the rule of the Mexican Government the number of Ranchos proliferated, most of them much larger than the original royal land grants, for example, Rancho Alisal Bernal in 1866 and Rancho Alisal Hartnell in 1882. However, the largest was probably Cienega del Gabilan in 1867 which consisted of 48,780 acres. Most of the ownership of the Ranchos was lost when California became a state. This was because landowners were

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<sup>4</sup> <http://www.carmelmissionfoundation.org/PDFS/ArtArtifactRestoration.pdf>

required to prove ownership in the Federal Court in San Francisco. To secure and finalize the ownership, landowners were to be present or be represented by counsel when their case was called. Landowners were not given prior notice of their hearing. Most Monterey County landowners could not afford to remain in San Francisco indefinitely awaiting an undetermined court date. Instead, they retained legal counsel to appear for them. The landowners incurred legal fees, which became so great that the attorneys frequently assumed ownership of the property in lieu of payment for the landowner's debit.

Upper California = Alta California



Our County's documents, maps, and artwork are full of important and historically valuable information, and they should be maintained and preserved for future generations.

### **Investigative Methodology:**

The MCCGJ interviewed several individual members of the following entities:

- Monterey County Historical Society
- Diocese of Monterey
- City of Monterey Museum and Cultural Arts Department & Colton Hall Museum

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<sup>5</sup> Richard Fraiola, philatelist, <http://www.rfraiola.com/>



- Salinas Steinbeck Library
- Monterey County Clerk's Office
- Monterey County Parks and Recreation Department

The Grand Jury also obtained information from research on the internet.

### **Facts:**

Historical documents pertaining to Monterey County are stored in numerous locations, some of which are:

1. The Monterey County Historical Society: The Historical Society maintains a wealth of historical material on Monterey County in its Robert B. Johnston Archival Vault, built in 1973. In 2016, the Society began a certification process on a new much larger vault. They are the only such facilities outside of universities on the Central Coast that are humidity and temperature controlled.<sup>6</sup>

A brief list of what they house:

- Spanish military records and correspondence; most date in the 1780's
- Mexican records of real estate land grant petitions, civil and criminal court records, immigration papers and military matters.
- Monterey County Records from the early 1850's
- Agricultural history which includes information on rainfall and irrigation practices, and ranch maps
- Photographs of daily life/rural and city scenes/aerials of the County dating back from the mid-1800's

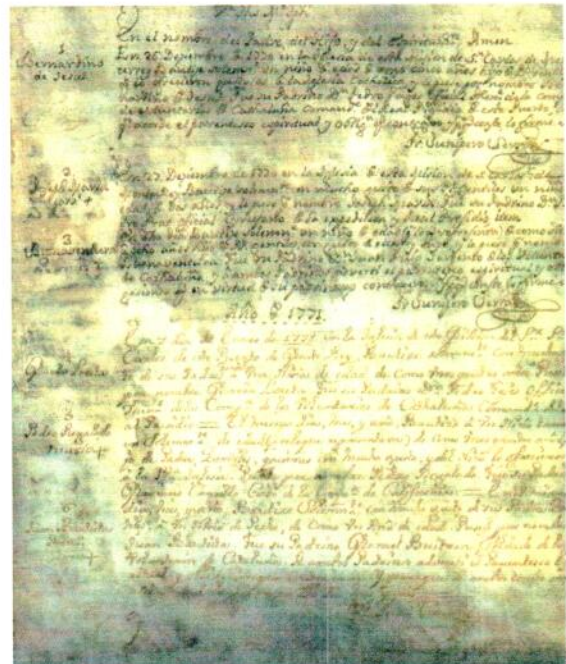
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<sup>6</sup> Monterey County Historical Society, <http://mchsmuseum.com/vault.html>

The Society relies on donations, grants and volunteers to maintain all the museum facilities.

2. The Diocese of Monterey maintains sacramental records that were celebrated prior to 1960 for most parishes in the counties of Monterey, Santa Cruz, San Benito and San Luis Obispo. They also store and maintain documents, maps, artwork and artifacts from the early Spanish Mission days.<sup>7</sup>

Copy of a page from  
Junipero Serra's Diary

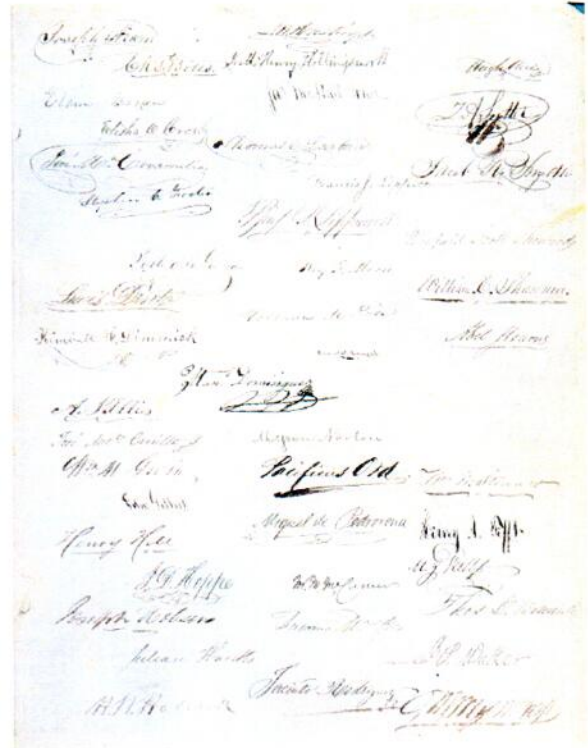
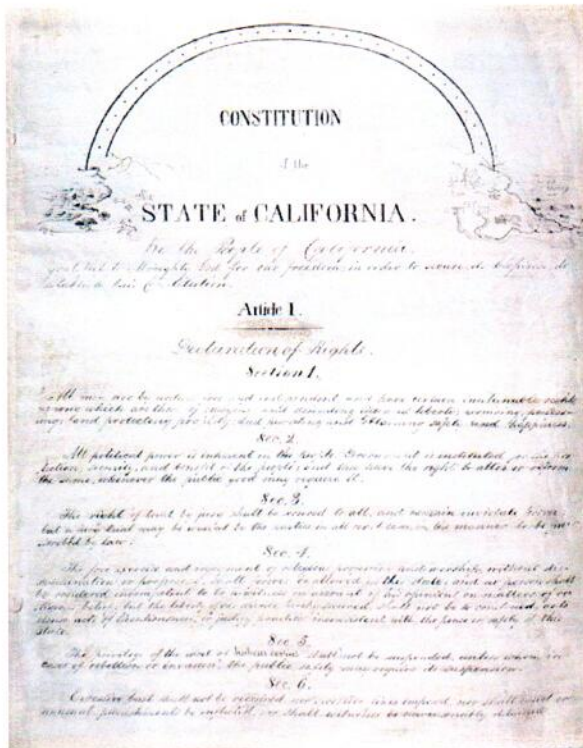


<sup>7</sup> <https://dioceseofmonterey.org/archivist>

<sup>8</sup> Copy of a page of Junipero Serra's diary, courtesy of the Diocese of Monterey



3. The City of Monterey maintains many of the historical documents pertaining to the birth of California, as well as photographs, scrapbooks, newspapers, slides, and artifacts. The city's Colton Hall Museum offers visitors a chance to see the room where the first California Constitution was drafted, and to see the "practice" signature sheet.<sup>9</sup> Monterey has use of a "bank vault" with a dehumidifier to store many of their documents.



Their archivists rely on volunteers to help with digitizing and cataloging the documents. They are funded by the city. However, they could use additional funding to improve the database software, and to secure an archival vault. Also under the city of Monterey's purview is the Presidio of Monterey Museum. This museum is the repository of the history of the Presidio under the Spanish settlement and the United States Army from the early days of the Civil War through the closure of Fort Ord in 1994.<sup>10</sup> The city of

<sup>9</sup> <http://www.monterey.org/museums/Monterey-History/Constitutional-Convention>

<sup>10</sup> <http://www.monterey.org/museums/city-museums/presidio-of-monterey-museum>

Monterey offers a historical self-guided historical audio tour. These cell phone tours were made possible by a Preserve America grant from the National Park Service. Congress has authorized but not funded any grant money for the last seven years for additional cities and counties to offer the same type of tour.<sup>11</sup>



4. The University of California Berkley has possession of many of the original documentation of the Royal Land Grants under the King of Spain and the Land Grants under the Government of Mexico.<sup>12</sup>
5. The Agricultural and Rural Life Museum in King City keeps documents, artifacts, and farm machinery from numerous Monterey County farms and the Spreckels Sugar Factory. Their archive room is a state-of-the-art, temperature and humidity controlled environment.<sup>13</sup>
6. The John Steinbeck Library in Salinas keeps documents, newspapers, photos, and other historically unique items pertaining to the foundation and history of Salinas. They have a staff archivist and are striving to implement a temperature and humidity controlled archival vault.<sup>14</sup>

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<sup>11</sup> <http://www.monterey.org/museums> and <http://www.preserveamerica.gov/>

<sup>12</sup> <http://www.lib.berkeley.edu/libraries/bancroft-library>

<sup>13</sup> <http://www.mcarlm.org/exhibits/about>

<sup>14</sup> <http://www.salinaspubliclibrary.org/john-steinbeck-library>



7. The Monterey County's Office of Assessor-County Clerk-Recorder maintains birth, marriage and death certificates and records of land transfer deeds dating back to the 1850's. Many records have been digitized and are stored offsite. Other volumes are in the vestibule of the Clerk's office, where the public is welcome to peruse these tomes.<sup>15</sup>

Monterey County's Office of Assessor-County Clerk-Recorder can charge a minimal fee for birth or marriage certificates, which generates funds for preserving the documents. The fees received consistently fall short of what is needed to preserve our County's history.



8. Many more locations in the county have historical documents, i.e. California State University, Monterey Bay (CSUMB), county libraries, cities, etc. There is not one database source that inventories or catalogues all that is housed or available to view in the County.
9. Most museums can maintain, digitize and store historical documents based on the generosity of donors, volunteers or grantors. Few have working budgets or any money earmarked to offset the price of maintaining their collections.

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<sup>15</sup> <http://www.co.monterey.ca.us/government/departments-a-h/assessor/assessor-county-clerk-recorder>



## **Findings:**

- F 1. The archivists and historians employed by the different agencies are well educated in their field and take great care in their duties.
- F 2. Most agencies in Monterey County charged with the task to maintain and store historical records and artifacts do the best that they can with the facilities and funds they have available.
- F 3. The documents stored and maintained in these repositories vary. The most modern and up to date methods are those maintained in a temperature and humidity controlled vault at the Monterey County Historical Society.
- F 4. The volumes of records in the vestibule of the office of the Assessor-County Clerk-Recorder, although preserved, may be damaged by public use. These documents are neither temperature nor humidity controlled. Additionally, access to the title transfer records is uncontrolled.
- F 5. Historical documents and photos should be digitized and available to the public on-line, to lessen the amount of handling of documents.
- F 6. The historical documents and artifacts of Monterey County are valuable assets to the citizens of California, Monterey County and residents of the cities located within the county. As such they should be protected to ensure proper storage, maintenance, and handling.
- F 7. Not all the locations that store and maintain historical documents are staffed by trained archivists.
- F 8. Some entities, i.e. Monterey County Assessor-County Clerk-Recorder, are able to "hire" outside companies to digitize their data. Others rely on the generosity of volunteers.
- F 9. Monterey County stores many of the historical documents in a warehouse. These documents are not in humidity or temperature controlled environment.

### **Recommendations:**

- R 1. All Cities and agencies within Monterey County should catalog and index all historical documentation they maintain.
- R 2. This index once created should be shared between each city and all county historical agencies.
- R 3. Monterey County offices should have all their historical documents stored in humidity and temperature controlled environments. To address the lack of funding to protect these documents the County Clerk should add a small assessment on documents requested to generate revenue.

### **Requests for Responses:**

Pursuant to Penal Code section 933.05, the Monterey County Civil Grand Jury requests a response to Findings and Recommendations as follows:

Monterey County Assessor-County Clerk-Recorder; F 1. - F 9. and R 1. - R3.

Monterey County Board of Supervisors; F 1. - F 9. and R 1. - R 3.

City of Salinas; F 1. - F 3., F 5. - F 7., and R 1. - R 2.

City of Monterey; F 1. - F 3., F 5. - F 7., and R 1. - R 2.

### **Invited Response:**

Diocese of Monterey; F 1. - F 3., F 5. - F 7., and R 1. - R 2.

Monterey County Historical Society; F 1. - F 3., F 5. - F 7., and R 1. - R 2.

City Librarian, City of Salinas Steinbeck Library; F 1. - F 3., F 5. - F 7., and R 1. - R 2.