RESPONSE TO GRAND JURY REPORT FORM

Report Title: ***The Scoop on Marin County Sewer Systems: Part II***

Report Date: **June 10, 2014**

Public Release Date: **June 16, 2014**

Response by: **September 14, 2014**

FINDINGS

- I (we) agree with the findings numbered: **N/A**
- I (we) disagree wholly or partially with the findings numbered: **F9, F10**

  (Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefor.)

RECOMMENDATIONS

- Recommendations numbered **R8, R9** have been implemented.

  (Attach a summary describing the implemented actions.) **See Attachment A**.

- Recommendations numbered **N/A** have not yet been implemented, but will be implemented in the future.

  (Attach a timeframe for the implementation.)

- Recommendations numbered **N/A** require further analysis.

  (Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)

- Recommendations numbered **N/A** will not be implemented because they are not warranted or are not reasonable.

  (Attach an explanation.)

Date: 9/10/14 Signed: _____

GARY O. PHILLIPS, Board Chairman
San Rafael Sanitation District

Number of pages attached 2 (including this page)

ATTACHMENT "A"

RESPONSE FROM THE SAN RAFAEL SANITATION DISTRICT TO GRAND JURY REPORT "THE SCOOP ON MARIN COUNTY SEWER SYSTEMS: PART II"

Findings:

F9: Alto, San Rafael, Sanitary District #2 (Corte Madera), and SASM do not have websites to provide information to their customer bases.

Response: *District partially disagrees with this finding:* Since the "Sanitation Agencies Survey" was submitted to the Grand Jury in December 2013, SRSD has developed a webpage under the City of San Rafael's website. SRSD contracts with the City of San Rafael for various services, including I.T. and computer services.

F10: All board members at Sanitary District #2 and some board members at Almonte, San Rafael, and Sausalito have not renewed their ethics training in the last two years as required by Government Code Article 2.4.

Response: *District disagrees with this finding*: The District has updated its files and has verified that all Board members have renewed their ethics training within the last two (2) years.

Recommendations:

R8: Alto, San Rafael, Sanitary District #2, and SASM develop and operate an internet website. The website should include, at a minimum, details of the agency and its leadership, board meeting agendas and minutes, an annual budget, audited financial statements, and the SSMP including the OER.

Response: *Currently being implemented*: SRSD developed a webpage under the City of San Rafael website during the early part of this year. SRSD has included some of the information listed above but will include all of these items within the next six (6) months.

R9: The board members at Almonte, Sanitation District #2, San Rafael and Sausalito update their ethics training to be in compliance with state law.

Response: *Implemented*: See above response to F10.

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Board of Directors
Gary O. Phillips, Chairman
Maribeth Bushey, Secretary/Director
Katie Rice, Director

District Manager/District Engineer
Doris Toy, P.E.

September 10, 2014

Ms. Nadine A. Muller, Foreperson
Marin County Civil Grand Jury
3501 Civic Center Drive, Room 275
San Rafael, CA 94903

Re: Grand Jury Report: **"The Scoop on Marin County Sewer Systems: Part I and Part II"**

Dear Ms. Muller:

We are forwarding to you the following documents:

- Certified copy of Resolution No. 14-1099 adopted by the San Rafael Sanitation District on September 2, 2014, approving and authorizing the Chairman to execute the District's response; and

- Original of the "Response to Grand Jury Report Form," executed by the District Chairman on September 10, 2014, together with Attachment "A".

Please contact Doris Toy, the SRSD District Manager/District Engineer at 485-3484 if you have any questions.

Sincerely,

GARY O. PHILLIPS
Board Chairman
San Rafael Sanitation District

GOP/ch

Attachments

cc: Doris Toy, District Manager/District Engineer (with enclosures)
Jack F. Govi, Assistant County Counsel (with enclosures)

SAN RAFAEL SANITATION DISTRICT

RESOLUTION NO. 14-1099

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN RAFAEL SANITATION DISTRICT APPROVING AND AUTHORIZING THE CHAIRMAN TO EXECUTE THE SAN RAFAEL SANITATION DISTRICT'S RESPONSE TO THE 2013-2014 MARIN COUNTY CIVIL GRAND JURY REPORT ENTITLED "THE SCOOP ON MARIN COUNTY SEWER SYSTEMS: PART I AND PART II"

WHEREAS, pursuant to Penal Code Section 933, a public agency which receives a Grand Jury Report addressing aspects of the public agency's operations must comment on the findings and recommendations contained in the Report in writing within ninety (90) days to the Presiding Judge of the Superior Court with a copy to the Foreperson of the Grand Jury; and

WHEREAS, Penal Code Section 933 specifically requires that the "governing body" of the public agency provide said response; and, in order to lawfully comply, the governing body must consider and adopt the response at a noticed public meeting pursuant to the Brown Act; and

WHEREAS, the Board of Directors of the San Rafael Sanitation District has received and reviewed the 2013-2014 Marin County Civil Grand Jury Report dated June 10, 2014, entitled "The Scoop on Marin County Sewer Systems: Part I and Part II" and has agendized it at this meeting for a response.

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Board of Directors of the San Rafael Sanitation District hereby:

1. Approves and authorizes the Chairman to execute the San Rafael Sanitation District's response to the 2013-2014 Marin County Civil Grand Jury Report entitled "The Scoop on Marin County Sewer Systems: Part I and Part II," a copy of which is attached hereto and incorporated herein.

2. Directs the District Secretary to forward the District's response to the Grand Jury Report to the Presiding Judge of the Marin County Superior Court and to the Foreperson of the Marin County Civil Grand Jury.

PASSED AND ADOPTED at a regular meeting of the San Rafael Sanitation District Board of Directors held on the 2nd day of September, 2014, by the following vote, to wit:

AYES: Director Bushey, Chairman Phillips

NOES: None

ABSENT/ABSTAIN: Director Rice

SAN RAFAEL SANITATION DISTRICT

Gary O. Phillips, Chairman

ATTEST:

Maribeth Bushey

Maribeth Bushey, Secretary

The foregoing document is a true and correct copy of the original on file in the office of the San Rafael Sanitation District.

Cynthia Hernandez

Cynthia Hernandez, District Secretary
Clerk to the San Rafael Sanitation District
Board of Directors