

## RESPONSE TO GRAND JURY REPORT FORM

Report Title: The Scoop on Marin County Sewer Systems: Part I,

Report Date: June 10, 2014

Public Release Date: June 16, 2014

Response by: September 14, 2014

### FINDINGS

- I (we) agree with the findings numbered: F3, F6, F7, F8, F 12
- I (we) disagree wholly or partially with the findings numbered: F 9

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

### RECOMMENDATIONS

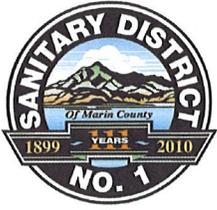
- Recommendations numbered R1, R3, R5, R7 have been implemented.  
**(Attach a summary describing the implemented actions.)**
- Recommendations numbered R4 have not yet been implemented, but will be implemented in the future.  
**(Attach a timeframe for the implementation.)**
- Recommendations numbered R8 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 \_\_\_\_\_ will not be implemented because they are not warranted or are not reasonable.  
**(Attach an explanation.)**

Date: 09/11/2014

Signed: \_\_\_\_\_

Greg Norby, General Manager

Number of pages attached 3



# ROSS VALLEY SANITARY DISTRICT

*Serving the Greater Ross Valley Area for 110 Years*

2960 Kerner Boulevard San Rafael, CA 94901

Ph: 415.259.2949 Fax: 415.460.2149

WWW.RVSD.ORG

**Directors:** Thomas Gaffney, President ~ Michael Boorstein, Secretary ~ Mary Sylla, Treasurer ~ Pamela Meigs ~ Frank Egger

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September 11, 2014

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

The Honorable Judge Faye D'Opal  
Marin County Superior Court  
P.O. Box 4988  
San Rafael, CA 94913-4988

**Subject: Response to the Marin County Civil Grand Jury 2014 Report Titled "The Scoop on Marin County Sewer Systems: Part I"**

Dear Grand Jury Members,

The Ross Valley Sanitary District is providing the following response to the 2014 Marin County Civil Grand Jury Report titled "*The Scoop on Marin County Sewer Systems: Part I*".

## **Response to Findings**

**F3:** *Taxpayers ultimately bear the burden of fines resulting from excessive sewer spill activity, which in the period 2011-2013 amounted to \$1,839,100.*

**Response:** Agree with this Finding. As a minor point of clarification, wastewater utility service rate payers (customers) also "bear the burden", since RVSD's revenues come from two primary sources; ad valorem property taxes and wastewater utility service rates.

**F6:** *CMSA is in the process of obtaining a permit to allow the use of treated wastewater for off-site purposes, such as sewer pipe flushing and maintenance. The water could be available to its member agencies and potentially other agencies, offering an important water conservation opportunity during a drought time.*

**Response:** Agree with this Finding. RVSD has been working with CMSA and MMWD to support the use of recycled water for sewer maintenance activity and other appropriate uses of Title 22 and Title 23 recycled water.

**F7:** *The Final Report of the Ross Valley Sanitary District's July 2012 consolidation study is not posted on RVSD's website and therefore not easily accessible to the public.*

**Response:** Agree with this Finding. The referenced study is now available on the RVSD website.

**F8:** *The Final Report of the Ross Valley Sanitary District's July 2012 consolidation study states that for any consolidation to be equitable to the four central Marin agencies, additional cost efficiencies to the tune of \$1,000,000 would be required. This could represent significant savings to the taxpayers of Marin.*

**Response:** Agree with this Finding. The 2012 study was based on the best information available at that time. Significant new information has and is being developed for RVSD, related to the condition of the sewer collection systems, as the District nears completion of its initial CCTV inspections of the 200 miles of sewer lines. It would be appropriate to re-evaluate the findings of past consolidation studies in the future using the best available information, due to the steadily changing conditions related to O&M practices, capital programs, functional consolidation steps, and other factors that may impact the any future consolidation evaluation study findings.

Any future consolidation studies focused on the central Marin region's wastewater utilities should be done with the full participation of the three CMSA JPA members; RVSD, San Rafael Sanitary District, and SD-2 (Corte Madera), so there is greater likelihood of consensus and support for the resulting findings and recommendations.

**F9:** *There are many costs that are duplicated among wastewater agencies, particularly with regards to management, administration, overhead and governance.*

**Response:** Partially disagree with this Finding. The finding is stated too broadly, in terms of "duplication". Duplication implies that no legitimate value is derived from the two or more separate efforts, e.g. having an Engineer and related staff at two separate agencies that handle separate but significant amounts of capital projects each year. Given the range of wastewater agency sizes and organizational structures, there are likely to be appropriate situations for one agency to have its own management, administration and/or governance resources.

**F12:** *Districts are working together across the County, demonstrating an increasing level of commitment to cooperation and resource sharing. Most districts agree that there is potential for greater collaboration and cost reduction.*

**Response:** Agree with this Finding.

### **Response to Recommendations**

**R1:** *All districts must work to eliminate spills, through in-depth analysis and investment in infrastructure.*

**Response:** This recommendation is being implemented by RVSD. See the analysis and methods used in the Infrastructure Asset Management Plan, implementation of CMMS, and the five year capital program and funding plans developed by RVSD and provided to the Grand Jury, as examples of RVSD's commitment to eliminating SSO's.

**R3:** *All agencies adopt an ordinance that will require private laterals to be inspected routinely and repaired as necessary.*

**Response:** This recommendation is being implemented by RVSD, through adoption in June 2014 of Ordinance 66, setting various "triggers" for inspections and repairs of private laterals. These are tied to conditions such as major property work (\$75,000 or more), property sale, and evidence of degraded laterals contributing to increased SSO risks.

**R4:** *All agencies conduct an analysis to determine the feasibility of using treated wastewater for flushing pipes in routine maintenance work.*

**Response:** This recommendation is being implemented, pending CMSA and MMWD's in-progress work to complete the necessary permitting approvals from the State of California.

**R5:** *All agencies continue to cooperate with each other and find further ways to reduce costs.*

**Response:** This recommendation is being implemented.

**R7:** *The Ross Valley Sanitary District place the July 2012 consolidation study final report on its website and have it be easily accessible to the public.*

**Response:** This recommendation has been implemented.

**R8:** *The central Marin agencies continue to pursue consolidation efforts, both functional and structural.*

**Response:** This recommendation required further analysis, to identify the most beneficial and feasible opportunities for functional consolidation, followed by a secondary focus on structural consolidation. The agencies can most likely achieve a significant level of functional consolidation, with most of the attendant benefits such as cost savings and improved standards of O&M and customer service, long before structural consolidation can be achieved. This assessment is based on the long political history of Marin wastewater utilities (such as the recent failure to achieve SASM agencies' consolidation), which does not support optimistic assumptions about how readily structural consolidation could occur. Future consolidation efforts, including feasibility studies, should be done with the full participation and support of all three CMSA JPA member districts, so the results are not readily dismissed as imbalanced or bias in favor of any particular agency's position.

Sincerely,

  
\_\_\_\_\_  
Greg Norby, General Manager



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September 11, 2014

**To:** Nadine A. Muller, Foreperson  
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The Honorable Judge Faye D'Opal  
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**From:** Ross Valley Sanitary District  
2960 Kerner Blvd  
San Rafael, CA 94901

**Subject:** **Response to the Marin County Civil Grand Jury 2014 Report Titled "The Scoop on Marin County Sewer Systems: Part I"**

Dear Marin County Civil Grand Jury:

Please find enclosed the official response of the Ross Valley Sanitary District to the Grand Jury report dated June 10, 2014: "The Scoop on Marin County Sewer Systems: Part I" that was discussed and unanimously approved by the RVSD Board of Directors at its regular August 27, 2014 meeting.

Enclosure(s):