

AGENCY RESPONSE TO GRAND JURY REPORT

Report Title: **Consolidation of Sanitation Districts**

Report Date: **April 13, 2018**

Response Date: **July 13, 2018**

Agency Name: Homestead Valley SD Agenda Date: 6/26/18

Response by: Allan Leibof Title: President

FINDINGS

- I (we) agree with the findings numbered: _____
- I (we) disagree *partially* with the findings numbered: _____
- I (we) disagree *wholly* with the findings numbered: _____

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

RECOMMENDATIONS

- Recommendations numbered _____ have been implemented.
(Attach a summary describing the implemented actions.)
- Recommendations numbered _____ have not yet been implemented, but will be implemented in the future.
(Attach a timeframe for the implementation.)
- Recommendations numbered _____ 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 R3 will not be implemented because they are not warranted or are not reasonable.
(Attach an explanation.)

Date: 6/26/18 Signed:  _____

Number of pages attached 2

HOMESTEAD VALLEY SANITARY DISTRICT

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May 26, 2018

Marin County Superior Court
P.O. Box 4988
San Rafael, CA 94913-4988

Attention: The Honorable Judge Paul Haake

Subject: Grand Jury Report – Consolidation of Sanitation Districts
Report Date: April 13, 2018

Dear Honorable Judge Paul Haake,

In response to the Findings and Recommendation contained in the Grand Jury Report the Homestead Valley Sanitary District was asked to respond to Recommendation R3 which recommends that the:

Sewerage Agency of Southern Marin (JPA), Almonte Sanitary District, Alto Sanitary District, Richardson Bay Sanitary District, Homestead Valley Sanitary District (HVSD), Public Works Department of the City of Mill Valley, and Tamalpais Community Services District should reorganize into a single sanitary/sanitation district. Each entity should initiate a reorganization application with Marin LAFCO and announce this action on the agenda of the next board meeting for public involvement.

RECENT HISTORY:

Review of sewer service in Marin, especially southern Marin has received heightened scrutiny over the past decade and a half.

LAFCO ACTIONS:

Starting in April 2004, Marin LAFCO, with the issuance of its Southern Marin Service Review and Sphere of Influence Update ([2004 LAFCO report](#)) and the associated Southern Marin County Sewer Service Alternatives Study Report issued July 2005 ([2005 LAFCO/PB Consultants Sewer Service Alternatives Study](#)), has argued for consolidation of some sort for the various agencies providing sewage collection and treatment services to the residents of southern Marin.

LAFCO's pursuit of consolidation continued with the subsequent Southern Marin Service Review and Sphere of Influence Update issued July 2011 ([2011 LAFCO Southern Marin Sewer Agencies Service Review](#)). Comments to the report can be viewed here ([2011 Comments](#), [2011 Appendices to Almonte SD comments](#)).

Ultimately, on September 13, 2012 LAFCO voted to consolidate the Homestead Valley, Alto, Almonte and Richardson Bay Sanitary Districts, subject to protest. Registered voters of each district successfully petitioned the proposed consolidation and forced an election on the issue. On May 7, 2013, the proposed consolidation, mail-in ballot Measure C, was voted down by registered voters in each of the affected districts ([LAFCO Notice to Terminate Consolidation - June 7, 2013](#)).

GRAND JURY INVESTIGATIONS:

Over the same period and continuing to the present, the Grand Jury has issued numerous reports that seem to echo LAFCO's position:

[SOUTHERN MARIN SEWER - So Many Districts, So Few Users April 27, 2004](#)

[Southern Marin sewers: Cracks in the system May 5, 2009](#)

[The Scoop on Marin County Sewer Systems: Part I June 10, 2014](#)

[The Scoop on Marin County Sewer Systems: Part 2 June 10, 2014](#)

[Consolidation of Sanitation Districts April 13, 2018](#)

DÉJÀ VU ALL OVER AGAIN:

As noted above, the issues surrounding how best to provide sewage collection and treatment service to the residents of the Sewerage Agency of Southern Marin (SASM) JPA member agencies (Alto, Almonte, Homestead Valley and Richardson Bay Sanitary Districts, the City of Mill Valley and Tamalpais Valley Community Services District) have been clearly identified and extensively debated over the past 15 years.

The question as to whether consolidation offered clear, significant, tangible and certain advantages over current longstanding governance by our local sanitary district boards was definitively answered in May 7, 2013 by the voters of the Alto, Almonte, Homestead Valley and Richardson Bay Sanitary Districts all rejecting LAFCO's consolidation effort, Measure C.

With the latest Grand Jury report recommending consolidations throughout Marin County, the Homestead Valley board of directors has reexamined the issue of consolidation and whether circumstances have changed over the past five years making consolidation the correct path forward. The answer is no. The arguments put forward against consolidation during the last effort still hold true ([Sanitary District Comments to LAFCO Consolidation](#)).

The HVSD board of directors does not take a position on the other proposed consolidations contained in the Grand Jury report but does note that agency organization and responsibility based on historical watersheds continues to make sense as it did in the mid-1970s when all Marin County sewer agencies were faced with major, clean-water act funded treatment plant upgrades. We would recommend the Grand Jury review the historical reports contained here ([2011 Appendices – Historical Reports](#)) to gain an appreciation of the scope of the challenges that Marin County sanitation agencies have faced in providing sewage collection, treatment and disposal services in the face of ever more stringent regulatory requirements.

In conclusion, Homestead Valley Sanitary District, along with its fellow SASM JPA members, will continue to provide efficient and effective management of their agencies. HVSD highlights of the past five years include:

- SASM JPA successfully issued \$38 million in bonds to finance SASM wastewater treatment plant upgrade
- Successful Proposition 218 rate increase to fund SASM upgrade and HVSD Capital Improvement Program
- Replaced 8,161 feet of old VCP sewer or 12.2% of the districts sewers at a cost of \$932,655
- Successfully bid current CIP project to replace an additional 4,000+ feet at a cost of \$816,939
- Oversaw replacement of 130 private laterals or more than 7% of connected homes
- Upgraded website to comply with Grand Jury website transparency recommendations

Sincerely,



Allan Leibof, President