



September 16, 2019

The Honorable Kelly Simmons
Judge of the Marin County Superior Court
Post Office Box 4988
San Rafael, CA 94913-4988

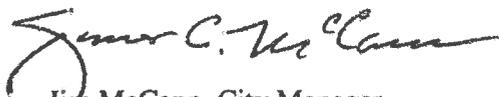
Lucy Dilworth, Foreperson
Marin County Civil Grand Jury
3501 Civic Center Drive, Room 275
San Rafael, CA 94903

Dear Honorable Judge Simmons and Ms. Dilworth,

The City of Mill Valley has received the Grand Jury Report "Marin's Telecommunications Disconnect" released June 13, 2019. The Grand Jury has requested a response to Recommendations R2-R4.

The report was reviewed and considered by the Mill Valley City Council at their September 16, 2019 regular meeting. Enclosed please find the City's response.

Sincerely,


Jim McCann, City Manager
City of Mill Valley

CITY OF MILL VALLEY

RESPONSE TO GRAND JURY REPORT

Report Title: Marin's Telecommunications Disconnect

Report Date: June 6, 2019

Agenda Date: September 16, 2019

Response by: September 20, 2019 (extension granted)

RECOMMENDATIONS

- Recommendations numbered **R2, R3, and R4** will not be implemented because they are not warranted or are not reasonable.
(See Attachment A)

Signed: _____

Jim Wickham, Mayor

Date: _____

9/15/2019

Number of pages attached: 1

City of Mill Valley

Response to Marin County Civil Grand Jury Report

Marin's Telecommunications Disconnect

September 16, 2019

Recommendation 2: The MTA's franchise fee collection and disbursement responsibilities should be moved to the MGSA

Response: MTA and MGSA staff have evaluated this recommendation over the last few years and decided the most feasible avenue was to keep the fee collection and disbursement responsibilities with the MTA.

Should the current franchise fee revenue stream decline, it may be advisable at some point to reevaluate the most cost-effective approach. However, currently, the City recommends that the MTA retain its franchise fee collection and disbursement responsibilities.

Recommendation 3: MTA's responsibilities for CMCM should be terminated.

Response: The MTA has entered into a contractual agreement with CMCM, a non-profit organization, to serve as the Designated Access Provider (DAP) to control and manage the use of PEG access facilities and equipment. The provisions of this agreement include MTA's ownership of the capital equipment that CMCM purchases using PEG funds to establish the broadcast and transmission capabilities at each city, town and the County. This agreement provides that CMCM shall manage the exclusive provision of public, education, and government channels. MTA oversight of the CMCM activities and expenditures are duties required to ensure compliance with state law and the DAP agreement. At this time, the City of Mill Valley recommends that the MTA continue its responsibilities for CMCM.

Recommendation 4: The MTA should be dissolved.

Response: The City of Mill Valley believes the MTA should continue to assist in the collection and disbursement of franchise fees. According the MTA Board of Directors' Grand Jury response statement, they are aware of the changing environment of the administration of telecommunications services at the local level. The MTA Board of Directors has indicated that if warranted, it will conduct a detailed evaluation of its options, and make decisions based on its findings. As a member agency of the Marin Telecommunications Agency, the City of Mill Valley will continue to be part of that evaluation and will act accordingly.