



CITY OF SAUSALITO

420 Litho Street * Sausalito, CA 94965
Telephone: (415) 289-4100
www.ci.sausalito.ca.us

September 11, 2019

Pat Randolph, Foreperson
Marin County Grand Jury
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

RE: Response to 2018-19 Civil Grand Jury Report – *Marin's Telecommunications Disconnect*

Dear Mrs. Randolph:

At their meeting of September 10, 2019, the Sausalito City Council reviewed and approved the response to the Grand Jury Report *Vaping: An Under-the-Radar Epidemic*.

Enclosed you will find the City's response. By copy of this letter, Judge Haakenson will also receive one copy of the report.

If you have any questions, please feel free to contact me.

Respectfully,

Serge Avila
City Clerk

cc: Judge Paul Haakenson

FAX NUMBERS:

Administration: (415) 289-4167
Recreation: (415) 289-4189

Community Development: (415) 339-2256

Library: (415) 331-7943
Public Works: (415) 289-4138

AGENCY RESPONSE TO GRAND JURY REPORT

Report Title: **Marin's Telecommunications Disconnect**

Report Date: **June 6, 2019**

Response Date: **September 6, 2019**

Agency Name: City of Sausalito

Agenda Date: Sept 10, 2019

Response by: Serge Avila

Title: Acting City Clerk

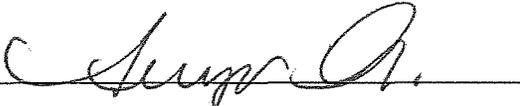
FINDINGS

- 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 R2, R3, R4 will not be implemented because they are not warranted or are not reasonable.
(Attach an explanation.)

Date: Sept 11, 19 Signed: 

Number of pages attached 2



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September 10, 2019

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

Mr. Pat Randolph, Foreperson
Marin County Civil Grand Jury
3501 Civic Center Drive, Room 275
San Rafael, CA 94903

Re: Response to Grand Jury Report Marin Telecom Disconnect

Dear Honorable Judge Haakenson and Mr. Randolph,

This letter explains in detail the City of Sausalito's response to the Civil Grand Jury Report dated June 6, 2019 (Marin Telecom Disconnect). The Report directs the City of Sausalito to respond to Recommendations R2, R3, and R4.

RESPONSES TO GRAND JURY RECOMMENDATIONS

The Marin County Civil Grand Jury recommends the following:

R2. The MTA's franchise fee collection and disbursement responsibilities should be moved to the MGSA.

Response: This recommendation will not be implemented because it is not warranted or is not reasonable. The possibility of MGSA taking on the responsibility for fee collection and disbursement has been explored by the MTA Board several times in the past, most recently when the Executive Officer of the MTA retired in 2018. At that time, it was determined that shifting the responsibility to MGSA would not result in significant financial savings. However, at the same time, MTA did make organizational changes resulting in a reduction of staffing and reduced administrative costs.

R3. MTA's responsibilities for CMCM should be terminated.

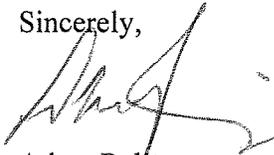
Response: This recommendation will not be implemented because it is not warranted or is not reasonable. The longstanding connection between MTA and CMCM is anchored by 2 important interrelated elements: (1) The Digital Access Provider Agreement between the MTA (Representing the 10 member entities and CMCM), and (2) The Digital Infrastructure and

Competition Act of 2006 (DIVCA). These elements combined result in commitments, obligations and responsibilities which cannot simply be abandoned. These include provisions in the MTA contract with CMCM to manage the exclusive provision of public, education and government channels, with the MTA retaining ownership of the capital equipment used to establish the broadcast and transmission capabilities at each municipality.

R4. The MTA should be dissolved.

Response: This recommendation will not be implemented because it is not warranted or is not reasonable. The MTA continues to play an important role in the collection and disbursement of franchise fees, as well as vital oversight of CMCM. In addition, throughout its existence, MTA has closely monitored the regulatory environment on behalf of member agencies. With the Federal Communications Commission currently considering significant changes in this arena, this aspect of MTA's responsibilities is more important than ever. The MTA Board, and its member agencies, are aware of the rapidly changing environment. Over the years, the MTA Board has responded to change by periodically reviewing various options for restructuring and has adopted prudent organizational changes as a result of these reviews. The City of Sausalito is confident this process will continue into the future.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Politzer', written over a horizontal line.

Adam Politzer
City Manager