



# CENTRAL MARIN SANITATION AGENCY

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May 14, 2020

The Honorable Judge Andrew Sweet  
Marin County Superior Court  
P.O. 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

**Subject: Central Marin Sanitation Agency's Response to the April 28, 2020, Marin County Civil Grand Jury Report – Follow-Up Report on Web Transparency of Agency Compensation Practices**

Dear Honorable Judge Sweet and Foreperson Dilworth,

Central Marin Sanitation Agency's (CMSA) Board of Commissioners reviewed and discussed the Grand Jury's Web Transparency Report at their May 12 Board meeting. The CMSA Board appreciates the Grand Jury's work on the Report, and the opportunity to respond to its findings and recommendations. At the meeting, the Board prepared the attached responses, agreed to have staff prepare a new annual Board member compensation report for posting on the Agency website, and directed staff to provide the state controller with the past five years of 1099 Board member compensation data for loading to the CMSA page on the Public Pay website.

If you would like to discuss the Agency's responses, please contact me at 415-459-1455, extension 145, or at [jdow@cmsa.us](mailto:jdow@cmsa.us).

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Dow', is written over a faint, larger version of the signature.

Jason Dow  
General Manager

Attachments

## Response to Grand Jury Report

Report Title: Follow-Up Report on Web Transparency of Agency Compensation Practices

Respondent/Agency Name: Central Marin Sanitation Agency

Your Name: Jason Dow Title: General Manager

### FINDINGS

- I (we) agree with the findings numbered: 2, 3, and 5
- I (we) disagree *partially* with the findings numbered: \_\_\_\_\_
- I (we) disagree *wholly* with the findings numbered: \_\_\_\_\_

### RECOMMENDATIONS

- Recommendations numbered 3 and 4 have been implemented.  
(Attach a summary describing the implemented actions.)
- Recommendations numbered 2 and 6 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 \_\_\_\_\_ will not be implemented because they are not warranted or are not reasonable.

Date: May 15, 2020 Signed: \_\_\_\_\_

Number of pages attached: 3

**2019/2020 MARIN COUNTY CIVIL GRAND JURY**

**Follow-Up Report on Web Transparency of Agency Compensation Practices**

Report Date – April 28, 2020

CMSA Response Date – May 14, 2020

**CMSA RESPONSES TO FINDINGS**

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F2. Any link to compensation data on an agency’s website that takes more than five minutes or three clicks from the home page to locate, does not reasonably satisfy the intent of the Government Code that the information be easily located and “conspicuous” on the agency’s website.

CMSA agrees with this finding.

*Links to the Public Pay website pages are within three clicks of the CMSA homepage, and should be able to be found within a few minutes.*

F3. Any link to publicpay.ca.gov on an agency’s website that fails to go directly to the agency’s current compensation data on that website does not satisfy the intent of the Government Code that information be easily located.

CMSA agrees with this finding.

*We visited the CMSA page on the Public Pay website and found it very easy to check the current compensation data by using the “date” pull down menu.*

F5. Regarding detailed disclosure of total compensation paid, most public agencies do not break out all components of compensation paid to their elected officials, including salary, meeting fees or stipends (including compensation for serving as liaison to other advisory committees, councils and forums), reimbursements, health and retirement benefits, and other benefits such as equipment.

CMSA agrees with this finding.

*From the report, we understand that MMWD and NMWD provide detailed compensation information for their elected officials, but we not are aware of the reporting practices or details of the other audited public agencies.*

## CMSA'S RESPONSES TO RECOMMENDATIONS

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- R2. No later than 90 days after the date of this report, agencies should modify the location of their existing publicpay.ca.gov links to satisfy the requirement of Government Code Section 53908 that their link be "conspicuous."

*Will be Implemented: CMSA is near completion of a major website reformatting and updating project. The Public Pay website link for employee compensation will be located on a new employee salary page under the Agency Finance section of the site, and the Board member compensation link will be made more obvious by moving it to the top of the Governing Board page and enlarging it. Our website project should be completed within the next month.*

- R3. No later than 90 days after the date of this report, agencies should modify their existing publicpay.ca.gov links so that they provide a direct link to their current compensation data on the state site. To eliminate the need for annual updates, the URL used for the link should exclude any parameter specifying a year. Formatted URL examples are shown on Appendix A.

*Implemented: CMSA has changed the Public Pay site link to direct users to the current year employee section.*

- R4. No later than 90 days after the date of this report, in addition to any other compensation links, agencies should include a link on their board or council web pages that leads directly to their "Elected Officials" page on the publicpay.ca.gov site, conforming to the format suggested on Appendix A.

*Implemented: CMSA has changed the Public Pay site link to direct users to the current year elected official section. In the past, CMSA believed that board member compensation did not need to be reported to the state controller if the Agency issued Board members 1099 forms at the end of the calendar year. The report clarified that the state controller requires all board member compensation to be reported. CMSA has updated our 2019 state controller compensation report with each Board member's compensation and provided it to the state controller's office for posting on the CMSA Public Pay page. Additionally, the Board directed staff to update the prior four years' compensation reports with Board member compensation – this will be done within the next couple weeks.*

- R6. No later than 120 days after the date of this report, agencies should adopt a practice to compile and publish each year an annual report detailing the compensation actually paid to their elected officials for the previous calendar year. Compensation disclosures should

include, at a minimum, salary, meeting fees or stipends (including compensation for serving as liaison to other advisory committees, councils and forums), reimbursements, health and retirement benefits, and other benefits such as equipment. A link to this report should be posted on the agency's board or council web page.

*Will be Implemented: CMSA will prepare a report for fiscal year 2019/20 (FY20) and future years that reports Board member compensation in a similar format as the MMWD board member compensation report. These reports will be posted on the Governing Board page on the CMSA website. We anticipate presenting the FY20 report to the CMSA Board at its July meeting for acceptance.*

MARIN COUNTY  
COUNSEL'S OFFICE

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