



City of Larkspur

400 Magnolia Avenue, Larkspur, California 94939

Telephone: (415) 927-5110 Fax: (415) 927-5022

Website: www.cityoflarkspur.org

July 1, 2020

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

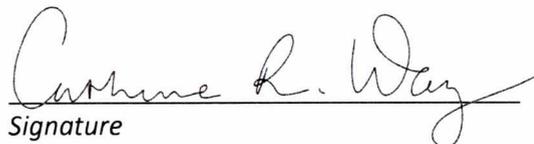
Foreperson Dilworth:

At its regular meeting on July 1, 2020, the City Council reviewed the attached email notification that its response to the Grand Jury's report "Follow-Up on Web Transparency of Agency Compensation Practices" was deemed to not comply with the California Penal Code. The email notification specifically identifies the Council's responses to Findings #4 and #5, as well as its plan of action for Recommendation #5 as being in violation of the Penal Code.

Accordingly, the City Council provides the attached amended response to the report with new language offered in legislative notation.

Should the members of the Grand Jury require any additional information, please contact City Manager Dan Schwarz at 415-927-5110 or dschwarz@cityoflarkspur.org.

Catherine Way
Mayor, Larkspur


Signature

07/01/2020
Date

RESPONSE TO GRAND JURY REPORT

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

Report Date: April 28, 2020

Agenda Date: May 20, 2020 and July 1, 2020

Response by: Catherine Way

Title: Mayor, City of Larkspur

FINDINGS

- We disagree wholly with the findings numbered: F3, F4, and F5

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.

Disagree. By providing a link to the homepage for publicpay.ca.gov, interested individuals are able to view the various capabilities of the website including the "reports and tools" functions, the ability to compare compensation between agencies and the range of pay for job titles in the state, as well as subscribe to updates from the California State Comptroller.

We are confident that the navigation on the publicpay.ca.gov homepage is intuitive for those with basic computer literacy and allows interested parties to easily locate information on the site.

F4. Regarding compensation policies for elected officials, many public agencies do not provide the public with easy access to information regarding 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.

Disagree. The City of Larkspur has no comment. The City Council lacks sufficient information to determine whether "many" public agencies match the description in this finding.

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.

Disagree. The City of Larkspur has no comment. The City Council lacks sufficient information to determine whether "most" public agencies match the description in this finding.

RECOMMENDATIONS

- Recommendation numbers R3, R4, and R6 will not be implemented because they are not warranted or are not reasonable.
- Recommendation number R5 has not yet been implemented but will be at a future date.

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.

This recommendation will not be implemented because it is not warranted. Please see response to Finding 3 of this report.

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.

This recommendation will not be implemented because it is not warranted. Please see response to Finding 3 of this report.

R5. No later than 120 days after the date of this report, agencies should include on their board or council web pages a comprehensive description of their policies regarding all compensation paid to elected officials specifying, 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.

~~This recommendation has not yet been implemented but will be at a future date. We believe that an interested party can easily find this information on the City's website (www.cityoflarkspur.org). However, in the interest of enhanced transparency, at a future meeting, the City Council will adopt a summary of its compensation practices for elected officials and post to the City Council page of the City website.~~

~~This recommendation set a deadline of August 26, 2020. The section of the City's website pertaining to compensation is now compliant and provides the following: [a link to the Larkspur Municipal Code sections concerning compensation to the Mayor and Members of the Council](#) and [a disclosure that the Mayor and Members of the City Council have the option to receive medical coverage and are reimbursed for out-of-pocket expenses pursuant to the same policies that govern employees.](#)~~

We do convey our disappointment that the Grand Jury fails in its report to note that Larkspur, as well as nine other cities in Marin County, are general law cities and our compensation practices are prescribed by the California Government Code.

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.

This recommendation will not be implemented because it is not warranted. This information is published annually on publicpay.ca.gov. We do not believe it is in the best interests of taxpayers to spend limited staff time and resources preparing a report to convey information that is already publicly available.