Eric Lucan, Chair
Transportation Authority of Marin

Barbara Pahre, Vice Chair
Golden Gate Bridge,
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Debora Fudge
Sonoma County Mayors' and
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Patty Garbarino
Golden Gate Bridge,
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Dan Hillmer
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August 7, 2020

The Honorable Andrew E. Sweet
Marin County Civil Grand Jury
3501 Civic Center Drive, Room 275
San Rafael, CA 94903

Brian Washington
Marin County Counsel
3501 Civic Center Drive, Room 275
San Rafael, CA 94903

Re: Sonoma-Marin Area Rail Transit Board of Directors Response to
the Marin County Civil Grand Jury Report: 2019-20 Follow-Up
Report on Web Transparency of Agency Compensation Practices

Dear Honorable Andrew E. Sweet and Mr. Brian Washington,

This letter constitutes SMART's response to the above referenced report contained within the Marin County Civil Grand Jury's Report for 2019-20. The Civil Grand Jury Recommendation R7 requested SMART review and implement recommendations R1-R6. Consistent with Penal Code Section 933.05 the Sonoma-Marin Area Rail Transit Board of Directors responds as follow:

RECOMMENDATIONS

- Recommendation R1 was previously in effect and implemented.

- Recommendation R2 was previously in effect and implemented.

- Recommendation R3 was previously in effect and implemented.

- Recommendation R4 was previously in effect however a portion of the recommendation cannot be implemented as requested as the recommendation differs from the State requirements for reporting Board Member compensation.

- Recommendation R5 was implemented.

- Recommendation R6 was implemented.

- Recommendation R7 requesting review and implementation of R1-R6 was implemented.

R1.   To comply with the intent of Government Code Section 53908, no later than 90 days after the date of this report, agencies should include on their websites a link to the *publicpay.ca.gov* site showing compensation of their elected officials, officers, and employees using the formatted URL examples that are shown in Appendix A

Response: Recommendation R1 was previously in effect and has been implemented

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." Conspicuous locations for agencies are suggested in Table 2.

Response: Recommendation R2 was previously in effect and has been implemented

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.

Response: Recommendation R3 was previously in effect and has been implemented

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.

Response: SMART links directly to SMART's publicpay.ca.gov site. However, SMART's Board is appointed by other bodies, State reporting rules <u>require</u> that SMART not designate its Board members as elected officials in its reporting so therefore there is no "Elected Officials" reporting. However, in the *publicpay.ca.gov* report, SMART reports Board Member compensation under "Board Member" (not "Elected Official"). This data can be easily found by entering "Board Member" in the search box.

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.

Response: Recommendation R5 has been implemented.

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.

Response: Recommendation R6 has been implemented

R7   No later than 90 days after the date of this report, agencies not audited in this
        report should review their websites for compliance with the legal requirements and
        higher public transparency standards recommended in Recommendations R1–R6
        of this report and ensure that their websites include links to the *publicpay.ca.gov*
        site as shown in Appendix A.

Response: Recommendation R7 has been implemented.

Sincerely,

Eric Lucan
Chair, SMART Board of Directors

C: SMART Board of Directors
   Farhad Mansourian, General Manager