

March 13, 2007

Board of Directors
Marin County Open Space District
3501 Civic Center Drive
San Rafael, California 94903

**SUBJECT: RESPONSE TO 2005-2006 MARIN COUNTY CIVIL GRAND JURY
REPORT “AGENDIZING RESPONSES TO THE GRAND JURY
REPORTS” (MAY 26, 2006)**

Dear Board Members:

RECOMMENDATION: Concur in and adopt the attached proposed response to the 2005-2006 Grand Jury report regarding how local public agencies agendize Civil Grand Jury Reports and authorize the President to forward the response to the Presiding Judge of the Marin County Superior Court.

SUMMARY: The 2005-2006 Marin County Civil Grand Jury published a report on May 26, 2006, entitled “*Agendizing Responses to the Grand Jury Reports.*” The report included a request for response from your Board. Attached for your consideration, in accordance with §933 of the California Penal Code, is a proposed response. A copy of the Grand Jury report is also attached for your information.

FISCAL IMPACT: None.

REVIEWED BY:

<input type="checkbox"/>	County Counsel	<input checked="" type="checkbox"/>	N/A
<input type="checkbox"/>	Human Resources	<input checked="" type="checkbox"/>	N/A
<input type="checkbox"/>	Auditor-Controller	<input checked="" type="checkbox"/>	N/A

Respectfully submitted,

Sharon McNamee
General Manager

March 13, 2007

Honorable M. Lynn Duryee
Presiding Judge
Marin County Superior Court
3501 Civic Center Drive
San Rafael, CA 94903

Dear Judge Duryee:

Forwarded herewith is the Marin County Open Space District Board of Directors' response to the 2005-06 Marin County Civil Grand Jury Report *"Agendizing Responses to the Grand Jury Reports."* The Board of Directors' response addresses all Findings and Recommendations for which a response was requested from the Board of Directors.

Respectfully submitted,

Steve Kinsey, President
Board of Directors

cc: Civil Grand Jury

RESPONSE TO GRAND JURY REPORT FORM

Report Title: Agendizing Responses to the Grand Jury Reports
Report Date: May 26, 2006
Response by: Marin County Open Space District Board of Directors

FINDINGS

- We agree with the findings numbered: F1

RECOMMENDATIONS

- Recommendations numbered R1 and R2 have been implemented.

Date: March 13, 2007

Signed: _____

Number of pages attached: 1

Marin County Open Space District Board of Directors
Response to Findings and Recommendations from the
Marin County Civil Grand Jury Report
Agendizing Responses to the Grand Jury Reports – May 26, 2006

FINDINGS

- F1. Governing bodies must consider and approve their response to a Grand Jury report at a properly agendized public meeting in order to be in compliance with California Penal Code Section 933 and the Ralph M. Brown Act.**

Response: Agree

RECOMMENDATIONS

The 2005-2006 Marin County Civil Grand Jury recommends that the County take the following action:

- R1. That all Marin governing bodies (Board of Supervisors, city or town councils, school boards and special district boards) adopt procedures that require their responses to Grand Jury reports be placed on their public meeting agendas in compliance with Penal Code Section 933 and the Ralph M. Brown Act in order to provide opportunity for public discussion**

Responses: Agree

The Marin County Open Space District Board of Directors endeavors to remain in compliance with Penal Code Section 933 and the Ralph M. Brown Act at all times. Responses to Grand Jury reports are clearly agendized for full public discourse and public testimony is encouraged prior to the Board considering the matter and taking action.

- R2. Though not required, all governing bodies should place Grand Jury responses on their public agendas rather than their consent calendars.**

Responses: Agree

In fact, the Marin County Open Space District has no consent calendar.