

DATE: July 15, 2004

TO: Foreperson
Marin County Civil Grand Jury

FROM: Peter Banning, Executive Officer

SUBJECT: Requested response to Civil Grand Jury Report –
Southern Marin Sewers – So Many Districts, So Few Users

At its regular meeting July 8, 2004, the Marin Local Agency Formation Commission authorized me to respond to the Grand Jury's optional invitation to comment on the recommendations in the above – referenced report. The Commission's response is as follows:

The Marin Local Agency Formation Commission has reviewed the report of the Marin Civil Grand Jury entitled *Southern Marin Sewers – So Many Districts, So Few Users* and appreciates the Grand Jury's invitation to comment on its conclusions.

The Commission is currently studying the services and inter-relationships of all cities and special districts in southern Marin, including the eleven sewer service agencies discussed in the Grand Jury's report. The Administrative Draft of the *Southern Marin Service Review and Sphere of Influence Update* was released at virtually the same time as the Grand Jury's report. Much of the information and discussion in the two reports is the similar.

Earlier this year, the Commission determined that more detailed study of organizational alternatives for southern Marin sewer agencies was needed. LAFCO has budgeted \$75,000 for FY 2004-05 for the study. The study will include examination of alternatives for "functional consolidation" (actions taken by agreement of existing agencies) and alternatives for political consolidation (restructuring of existing agencies) under LAFCO auspices. Proposals have been received from qualified consultants and the Commission expects to select a consultant for the study in August.

Chairperson: Jeffrey Blanchfield
Members: Susan Adams, Einar Asbo, Barbara Heller, Annette Rose, Dennis J. Rodoni, Jeffrey Slavitz
Alternates: Christopher Burdick, Cynthia Murray, George C. Quesada, Clifford Waldeck
Executive Officer: Peter V. Banning

Marin Local Agency Formation Commission

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The Commission commends the positive response of the Sewerage Agency of Southern Marin in sponsoring the forum of southern Marin sewer service agencies as recommended by the Grand Jury. The forum will be held July 14 and July 21, 2004. The results of the forum will contribute to the objectives of the study at its inception and will be carefully considered by the Commission in its direction of the selected consultant.

The Grand Jury should be aware that LAFCO's responsibilities in conducting such studies may require analysis of a broader set of alternatives than those supported by a consensus of affected agencies. The Commission's study plan includes provision for further consultation with the affected agencies to review preliminary study results. This phase of the study would act virtually as an extension of the planned forum.

Overall, LAFCO expects the implementation of the Grand Jury's recommendations and the completion of the Southern Marin Sewer Service Alternatives Study to address the Grand Jury's finding (Finding F7) that "The public is neither vigilant nor knowledgeable about the management of the agencies that perform sewage collection and treatment, and about the price they pay for these services." The Commission looks forward to working with all concerned.

Please contact me at 446-4409 if there are any questions concerning the Commission's response to the Grand Jury's report.

RESPONSE TO GRAND JURY REPORT FORM

Report Title: SOUTHERN MARIN SEWERS – So Many Districts, So Few Users
Report Date: April 27, 2004

Response by: Peter Banning **Title:** Executive Officer
Marin Local Agency Formation Commission (LAFCO)

FINDINGS

- I/we agree with the findings numbered: All
- I/we disagree wholly or partially with the findings numbered: _____
 - ❖ Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefor

RECOMMENDATIONS (Not Applicable)

- 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 _____ will not be implemented because they are not warranted or are not reasonable
 - ❖ Attach an explanation

Date: July 9, 2004

Signed: 

Number of pages attached 2