



October 22, 2013

Contra Costa Grand Jury
Attn: Stephen D. Conlin, Foreperson
725 Court Street
P.O. Box 911
Martinez, CA 94553-0091

Dear Mr. Conlin:

Please find enclosed two resolutions adopted by the Antioch City Council. These are provided in response to your four requests dated October 8, 2013. I believe these resolutions are responsive to your various requests. Copies of the October 8 letters are also enclosed. We are also sending this electronically to Richard Means.

Should you have other questions, please do not hesitate to contact me in the future.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim Jakel", is written over a horizontal line.

Jim Jakel
City Manager

cc: Mayor and City Council
Lynn Tracy Nerland, City Attorney
Christina Garcia, Deputy City Clerk

RESOLUTION NO. 2013/06

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
REGARDING BENEFITS FOR ELECTED OFFICIALS**

WHEREAS, the Antioch Municipal Code provides for the salary of elected officials; the City Council has adopted a Travel and Expense Policy that includes an automobile and communications allowance for elected officials, and elected officials have traditionally received other benefits as provided to management employees; and

WHEREAS, given the financial challenges facing the City of Antioch and the sacrifices made by employees and residents of the City, since 2009 the City Council has adopted resolutions encouraging Antioch elected officials to voluntarily agree to a salary reduction and decrease in the automobile allowance due to the immediate financial challenges facing the City; and

WHEREAS, like management employees, to the extent that elected officials received deferred compensation, such deferred compensation had been waived (5% of salary); and

WHEREAS, elected officials were also enrolled in the Public Agency Retirement Services (PARS) plan, a defined contribution retirement plan alternative to the Public Employees Retirement Services plan (PERS) unless the official was already grandfathered into the CalPERS system or already receiving retirement benefits from the City; and

WHEREAS, the City Council finds that providing some health and welfare benefits to elected officials beyond salary is appropriate;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Antioch hereby memorializes that elected officials generally receive health benefits as provided to management employees and in particular a cafeteria plan that includes \$12,000 life insurance benefit and health insurance currently in the amounts of \$482.54 per month for single individual, \$873.84 per month for two-party, and \$1,132.32 per month for family, with any unused cafeteria plan funds split 50/50 between the city and official and the official's portion placed into deferred compensation, but no disability, deferred compensation or other health and welfare benefits except as described in the City's Travel and Expense Policy, which currently includes an automobile and communications allowance; and

BE IT FURTHER RESOLVED that elected officials receive the PARS retirement benefit unless grandfathered into the CalPERS system or already receiving retirement benefits from the City and that the City Manager is directed to initiate an amendment to the City's contract with CalPERS to exclude elected officials.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 12th day of February 2013 by the following vote:

AYES: Councilmembers Wilson, Rocha, Tiscareno, Agopian and Mayor Harper

NOES: None

ABSENT: None

for Christine Davis
CITY CLERK OF THE CITY OF ANTIOCH

RESOLUTION NO. 2013/29

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
ENCOURAGING EACH CITY OF ANTIOCH ELECTED OFFICIAL TO
VOLUNTARILY AGREE TO A 10% REDUCTION IN THEIR SALARIES AND DECREASE
IN THE AUTOMOBILE ALLOWANCE AND WAIVER OF DEFERRED COMPENSATION
DUE TO THE FINANCIAL CHALLENGES FACING THE CITY**

WHEREAS, the City of Antioch is facing immediate financial challenges as the housing market continues to struggle, unemployment rises, and the nation continues to struggle with the impact of the national and global recession; and

WHEREAS, the City Council recognizes that employees and the residents of the City of Antioch have and will continue to make sacrifices to address City budget shortfalls; and

WHEREAS, in fiscal years 2009-2010, 2010-2011, 2011-12 and 2012-13 the City Council adopted resolutions encouraging Antioch elected officials to voluntarily agree to a salary reduction and decrease in the automobile allowance due to the immediate financial challenges facing the City;

WHEREAS, in addition, elected officials waived deferred compensation of 5% of salary, which was permanently eliminated by City Council Resolution No. 2013/06 dated February 12, 2013;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Antioch hereby encourages each City of Antioch elected official (Mayor, City Council, City Treasurer and City Clerk) to voluntarily agree to an irrevocable 10% reduction in their salaries and a \$100 monthly decrease in their automobile allowance for fiscal year 2013-14 due to the financial challenges facing the City.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 25th day of June 2013 by the following vote:

AYES: Councilmembers Wilson, Rocha, Tiscareno, Agopian and Mayor Harper

NOES: None

ABSENT: None



**ARNE SIMONSEN
CITY CLERK OF THE CITY OF ANTIOCH**

Grand Jury

Contra Costa County

725 Court Street
P.O. Box 911
Martinez, CA 94553-0091

October 8, 2013

City of Antioch
Mr. James Jakel, City Manager
P.O. Box 5007
Antioch, CA 94531



Dear Mr. Jakel:

I am writing to you as the Foreperson of the 2013-2014 Contra Costa Civil Grand Jury. One of our responsibilities is to follow up on previous Grand Jury Reports and promised implementation of Grand Jury Recommendations.

The response by the City of Antioch to one recommendation in the 2011-2012 Grand Jury Report indicated intent to take action, and we are requesting conformation of exactly what action was taken.

In Report Number 1104, entitled "Benefits for Elected Board Members", the Grand Jury made the following Recommendation:

Recommendation # 2: These cities, as part of the annual review in Recommendation 1, should consider whether it would be appropriate to implement reductions of salary and meeting fee expenditures to bring them in line with other cities.

Following is the Response received:

Will implement.

Please provide us with an update on your response to this Grand Jury Recommendation.

We would appreciate your response by November 19, 2013. You can send your response electronically to: Richard Means at rm.grandjury@gmail.com.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Stephen D. Conlin".

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury

Grand Jury

Contra Costa County

725 Court Street
P.O. Box 911
Martinez, CA 94553-0091

October 8, 2013

City of Antioch
Mr. James Jakel, City Manager
P.O. Box 5007
Antioch, CA 94531



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The response by the City of Antioch to one recommendation in the 2011-2012 Grand Jury Report indicated intent to take action, and we are requesting conformation of exactly what action was taken.

In Report Number 1104, entitled "Benefits for Elected Board Members", the Grand Jury made the following Recommendation #1:

All cities and special districts should conduct an annual public review of compensation provided to their respective elected Councils and Boards. This review should include such items as salary, meeting fees, health care insurance costs, pension deferred compensation, life insurance premiums, cell phone usage, and internet connections. The public review should address whether or not changes in compensation are warranted.

Following is the Response received:

Will implement.

Please provide us with an update on your response to this Grand Jury Recommendation.

We would appreciate your response by November 19, 2013. You can send your response electronically to: Richard Means at rm.grandjury@gmail.com.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Stephen D. Conlin".

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury

Grand Jury

Contra Costa County

725 Court Street
P.O. Box 911
Martinez, CA 94553-0091

October 8, 2013

City of Antioch
Mr. James Jakel, City Manager
P.O. Box 5007
Antioch, CA 94531



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The response by the City of Antioch to one recommendation in the 2011-2012 Grand Jury Report indicated intent to take action, and we are requesting conformation of exactly what action was taken.

In Report Number 1104, entitled "Benefits for Elected Board Members", the Grand Jury made the following Recommendation:

Recommendation # 5: The policy of paying pension or deferred compensation for Council and Board members should be reviewed to determine whether this practice is appropriate.

Following is the Response received:

Will implement.

Please provide us with an update on your response to this Grand Jury Recommendation.

We would appreciate your response by November 19, 2013. You can send your response electronically to: Richard Means at rm.grandjury@gmail.com.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Stephen D. Conlin".

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury

Grand Jury

Contra Costa County

725 Court Street
P.O. Box 911
Martinez, CA 94553-0091

October 8, 2013

City of Antioch
Mr. James Jakel, City Manager
P.O. Box 5007
Antioch, CA 94531



Dear Mr. Jakel:

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The response by the City of Antioch to one recommendation in the 2011-2012 Grand Jury Report indicated intent to take action, and we are requesting conformation of exactly what action was taken.

In Report Number 1104, entitled "Benefits for Elected Board Members", the Grand Jury made the following Recommendation:

Recommendation # 4: The policy of paying health care insurance costs for Council and Board members should be reviewed to determine whether this practice is appropriate.

Following is the Response received:

Will implement.

Please provide us with an update on your response to this Grand Jury Recommendation.

We would appreciate your response by November 19, 2013. You can send your response electronically to: Richard Means at rm.grandjury@gmail.com.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Stephen D. Conlin".

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury

MAILING ADDRESS:
City Hall
150 City Park Way
Brentwood, CA 94513
Phone: 925-516-5400
Fax: 925-516-5401
www.ci.brentwood.ca.us

CITY ADMINISTRATION
150 City Park Way
Phone: 925-516-5440
Fax: 925-516-5441

COMMUNITY DEVELOPMENT
150 City Park Way
Phone: 925-516-5405
Fax: 925-516-5407

**FINANCE & INFORMATION
SYSTEMS**
150 City Park Way
Phone: 925-516-5460
Fax: 925-516-5401

PARKS AND RECREATION
35 Oak Street
Phone: 925-516-5444
Fax: 925-516-5445

POLICE
9100 Brentwood Boulevard
Phone: 925-634-6911
24 Hr. Dispatch: 925-778-2441
Fax: 925-809-7799

PUBLIC WORKS

Operations Division
2201 Eldins Way
Phone: 925-516-6000
Fax: 925-516-6001

Engineering Division
150 City Park Way
Phone: 925-516-5420
Fax: 925-516-5421

November 12, 2013

The Honorable John Laettner
Presiding Judge of the Contra Costa Superior Court
A.F. Bray Court House, Department 25
1020 Ward Street
Martinez, CA 94553

Dear Judge Laettner:

This letter is in response to a request made by the Foreperson of the 2013-2014 Contra Costa Civil Grand Jury. In this request, dated October 8, 2013, the City was asked to provide updated responses to two of the recommendations made by the 2011-2012 Grand Jury in Report No. 1111 "Brentwood - A City Addressing Reality", released on June 8, 2011. The request for updated responses concerns the two recommendations to which the City had previously responded as having not yet been implemented.

In accordance with this request and Section 933.5 of the California Penal Code, the City provides the attached required updated responses to Recommendations 2 and 3 as identified in Report No. 1111 and as requested by the 2013-2014 Grand Jury.

Please feel free to contact me at 925.516.5440 should you need additional information.

Sincerely,



Paul R. Eldredge
City Manager
City of Brentwood

cc: Stephen D. Conlin, 2013-2014 Contra Costa County Grand Jury Foreperson
725 Court Street, Martinez, CA 94553

Honorable Mayor and City Council of the City of Brentwood

Damien Brower, City Attorney

City's Required Updated Responses to Grand Jury Recommendations

Grand Jury Recommendation #2: To more effectively measure performance, Brentwood should expand benchmarking to other city services and collaborate with other peer agencies to establish similar benchmarking standards.

City Response: The City has started the 2-year operating budget process and staff has begun researching the process of evaluating performance budgeting techniques and how best to put them into practice. Ultimately performance based budgeting will provide the City Council with a tool to help better determine how to allocate scarce resources by measuring the impacts that funding decisions will have on specific performance goals. The process of implementing a performance based budget, including benchmarks and comparisons to other cities, will likely take more than one budget cycle to fully implement.

Grand Jury Recommendation #3: Brentwood should reduce the financial impact of public safety employee pension and other benefit costs for the City's future financial stability.

City Response: This recommendation has been implemented. The City negotiated new labor contracts with all of its bargaining units in 2012. The costs the City was primarily concerned with addressing were pension, medical and retiree medical. All three items were successfully addressed through the bargaining process. In addition to the benefit changes below, the California Public Employees' Pension Reform Act of 2013 (PEPRA) further reduced pension costs for certain employees hired on or after 1/1/13. Following are a summary of pension, medical and retiree medical benefits for those City employees who are not subject to PEPRA :

Safety employees hired prior to 7/1/12 (except pension which was effective 10/1/12):

Pension - 3% at 50 plan; "final compensation" for pension calculation based on highest one-year salary; annual cost of living adjustments of up to 5%; employee contributes 6% of salary towards the 9% employee share (will be the full 9% next fiscal year).

Medical - City maximum will increase annually based on increases in the Kaiser rate until City maximum reaches \$1,500 per month, after which time the City maximum will be the greater of \$1,500 or the Kaiser single rate.

Retiree Medical - Retirees who separate prior to 7/1/12 will be eligible for a City maximum that increases annually based on increases in the Kaiser rate; Retirees who separate after 7/1/12 will be eligible for a City maximum equal to the amounts described in the "Medical" category above.

Safety employees hired on or after 7/1/12 (except pension which was effective 10/1/12):

Pension - 3% at 55 plan; "final compensation" for pension calculation based on highest average three-year salary; annual cost of living adjustments of up to 2%; employee contributes full employee share of 9% of salary towards pension costs.

Medical - City maximum equals the Kaiser single rate.

Retiree Medical - City maximum equals the minimum allowed by CalPERS (\$119/month in 2014).

Non Safety employees hired prior to 7/1/10 (except pension which was effective 10/1/10):

Pension - 2.7% at 55 plan; "final compensation" for pension calculation based on highest one-year salary; annual cost of living adjustments of up to 5%; employee contributes 6% of salary towards the 8% employee share (will be the full 8% next fiscal year).

Medical - City maximum of the greater of \$1,226 or the Kaiser single rate.

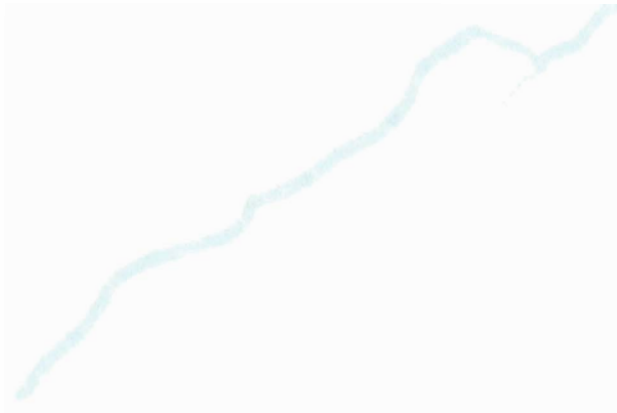
Retiree Medical - Retirees who separate prior to 7/1/12 will be eligible for a City maximum that increases annually based on increases in the Kaiser rate; Retirees who separate after 7/1/12 will be eligible for a City maximum equal to the amounts described in the "Medical" category above.

Non Safety employees hired on or after 7/1/10 (except pension which was effective 10/1/10):

Pension – 2% at 60 plan; “final compensation” for pension calculation based on highest average three-year salary; annual cost of living adjustments of up to 2%; employee contributes full employee share of 7% of salary towards pension costs.

Medical – City maximum equals the Kaiser single rate.

Retiree Medical – City maximum equals the minimum allowed by CalPERS (\$119/month in 2014).





RUSSELL KAGETHIRO
President
Division V

TIM MAGGIORE
Vice President
Division III

LARRY ENOS, JR.
Director
Division I

MARK MAGGIORE
Director
Division II

FELIX MUSCO
Director
Division IV

CHARLES TUSO
Director
Division VI

JEFF BROWN
Director
Division VII

RICK GILMORE
General Manager
Secretary

Tuesday, November 26, 2013

Mr. Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
725 Court Street
Post Office Box 911
Martinez, CA 94553-0091

SUBJECT: Byron Bethany Irrigation District Update to Grand Jury Report
No. 1104 "Benefits for Elected Board Members,"
Recommendation No. 1 and No. 4

Dear Mr. Conlin:

The Byron Bethany Irrigation District annually reviews the compensation of its Board of Directors including such items as salary, meeting fees, health care insurance costs, pension deferred compensation, life insurance premiums, cell phone usage, and internet connections during the public review of the budget process. Health care insurance costs for Board members are also reviewed as part of the budget process. No changes in compensation are warranted and the District continues to offer health care insurance to Board members while in office.

If you have any questions, feel free to contact me directly at (209) 835-0375.

Very truly yours,

BYRON BETHANY IRRIGATION DISTRICT

Rick Gilmore
General Manager

✓



Sunday, December 01, 2013

Mr. Stephen D. Conlin, Foreperson
Contra Costa Civil Grand Jury
725 Court Street
Post Office Box 911
Martinez, CA 94553-0091

G. LEE CUMMINGS
Chairman

MICHAEL A. NISEN
Vice Chairman

DANNY FLAMBY
Director

RANDOLPH J. KNAUS
Director

BRIAN NERI
Director

RICK GILMORE
General Manager
Secretary

**SUBJECT: Byron Sanitary District Update to Grand Jury Report
No. 1104 "Benefits for Elected Board Members."**

Dear Mr. Conlin:

As indicated in the District's reply of September 16, 2011, the District reviews such items as salary, meeting fees, health care insurance costs, pension deferred compensation, life insurance premiums, cell phone usage, and internet connections annually during the public review of the District's budget process.

Based on the public review budget process, no changes in compensation relating to meeting fees are warranted. The Board of Directors to not receive any further benefits.

If you have any questions, please feel free to contact me.

Very truly yours,

BYRON SANITARY DISTRICT

A handwritten signature in blue ink, appearing to read "Rick Gilmore", written over a light blue rectangular background.

Rick Gilmore
General Manager



Central Contra Costa Sanitary District

Protecting public health and the environment

5019 Imhoff Place, Martinez, CA 94553-4392

November 18, 2013

Sent via Email to rm.grandjury@gmail.com

Mr. Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
725 Court Street, P.O. Box 911
Martinez, CA 94553

PHONE: (925) 228-9500
FAX: (925) 676-7211
www.centalsan.org

ROGER S. BAILEY
General Manager

KENTON L. ALM
Counsel for the District
(510) 808-2000

ELAINE R. BOEHME
Secretary of the District

RE: Central Contra Costa Sanitary District Response to
Grand Jury Report 1104 Recommendations #1 and #3

Dear Mr. Conlin:

Thank you for your two letters dated October 8, 2013 asking for updates on Central Contra Costa Sanitary District's responses to Grand Jury Report 1104 Recommendations #1 and #3.

In summary, as stated in our responses, the District has implemented an annual public review of Board Member compensation and benefits, and during that review compares the compensation and benefits with that of other agencies.

Notice of the annual public hearing is published in two local papers and posted as required. We also conduct an annual Board Member compensation and benefit survey of other agencies, which is considered during the annual public review.

Attached is a detailed chronology with supporting documentation illustrating our compliance with our responses.

Please let me know if I can be of further assistance.

Sincerely,

Elaine R. Boehme, CMC
Secretary of the District

Cc: Board of Directors
General Manager

BOARD OF DIRECTORS

JAMES A. NEJEDLY, President • DAVID R. WILLIAMS, President Pro Tem • PAUL H. CAUSEY • MICHAEL R. M. GILL • TAD J. PILECKI

CITY OF CONCORD
1950 Parkside Drive
Concord, California 94519-2578
FAX: (925) 798-0636

OFFICE OF THE CITY MANAGER
Telephone: (925) 671-3150



CITY COUNCIL
Daniel C. Helix, Mayor
Timothy S. Grayson, Vice Mayor
Edi E. Birsan
Laura M. Hoffmeister
Ronald E. Leone

Thomas J. Wentling, City Treasurer
Valerie J. Barone, City Manager

October 23, 2013

Mr. Stephen D. Conlin
Foreperson
Contra Costa County Civil Grand Jury
PO Box 911
Martinez, CA 94553-0091

Re: Contra Costa County Grand Jury Report: "Elected Board Membership" (Report #1104)

Dear Mr. Conlin:

Thank you for your October 8, 2013 letter regarding Report #1104. In reviewing the correspondence, I believe an error has been made. The City's June 29, 2011 response to report #1104 was different from what was stated in your letter.

Your letter states the City of Concord's June 29, 2011 response to Finding #2 was, "Will implement."

The City's response letter actually read, "As part of their annual review of the City's operating budget, including the Council's operating budget, Concord City Council members have individually decided to voluntarily reduce their pay & benefits, matching the sacrifices that regular employees have made in each of the last two years. Council members are continuing this practice into Fiscal Year 2011-12. The Grand Jury's recommendation that the "appropriate" pay and benefit level for Council members should be the average level of all cities in the country, is not supported by the Concord City Council. Each city within the County has differing levels of budget, population, and service responsibilities: therefore a "one-size-fits-all" solution hardly seems appropriate. As the Grand Jury's information mentions, Concord is the largest City in the County by population but its Council members are not the highest paid/benefited Council members. Concord's City Council will continue to consider their individual pay and benefit levels at its annual budget reviews, and will continue to evaluate the appropriateness of those pay and benefit levels in light of prevailing fiscal conditions."

For your convenience, copies of your letter and the original response letter are enclosed.

Sincerely,

Valerie Barone
City Manager

Enclosures



CITY OF CLAYTON

Founded 1857 ... Incorporated 1964

COMMUNITY
DEVELOPMENT (925) 673-7340
ENGINEERING (925) 363-7433

6000 HERITAGE TRAIL • CLAYTON, CALIFORNIA 94517-1250
TELEPHONE (925) 673-7300 FAX (925) 672-4917

City Council
JULIE K. PIERCE, MAYOR
HANK STRATFORD, VICE MAYOR
JIM DIAZ
HOWARD GELLER
DAVID T. SHUEY

21 October 2013

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 911
Martinez, CA 94553-0091

Attn: Richard Means at rm.grandjury@gmail.com ; by EMAIL ONLY

Re: Report No. 1104 – Contra Costa County Civil Grand Jury (2010-11)

Dear Mr. Conlin:

The City of Clayton acknowledges receipt on 18 October 2013 of two (2) separate letters from the Civil Grand Jury dated 08 October 2013. Each letter seeks our City's response as to our stated intent to implement Recommendations No. 1 and 5 contained in the Civil Grand Jury Report No. 1104 in year 2010-11 [not 2011-12 as indicated in the correspondence].

While our response below will comply with these requests, we are confused by the Civil Grand Jury's apparent lack of previous City communication covering both of these Recommendations that was sent directly to the Contra Costa County Chapter of the California Grand Juror's Association in February 2013 (copy of which enclosed as "Attachment 1"). In responding to the Juror's Association request on the identical matters, reference was made to Mr. Safran's statement on Page 2 (January 4, 2013 letter) that the Association "... will share this letter and [y]our response with the current 2012-13 Contra Costa Civil Grand Jury." We now wonder whether such transmittal and distribution actually took place.

As response documentation specifically related to these two (2) Civil Grand Jury requests, the City of Clayton tenders the entirety of our 04 February 2013 reply to the Contra Costa County Chapter of the California Grand Juror's Association (ref. Attachment 1).

Further, the City of Clayton supplies additional remarks and notations on each of the Recommendations as follows:

A. Recommendation No. 1: "Benefits for Elected Board Members"

As part of our annual proposed City Budget and Adoption process, our City now prepares and includes a chart outlining in great detail the applicable compensation and/or benefits attributed to each member of the Clayton City Council for full public review and comment.

For the City's FY 2013-14 City Budget, we included an updated chart reflecting actual benefits or elected official compensation received during the previous calendar year 2012 (ref. Attachment 2). No members of the public submitted verbal or written comments on the matter.

As a side note: current members of the Clayton City Council receive a monthly compensation amount of \$200 per year by California Government Code, a city our size could pay \$462/mo.

B. Recommendation No. 5: "Benefits of Elected Board Members"

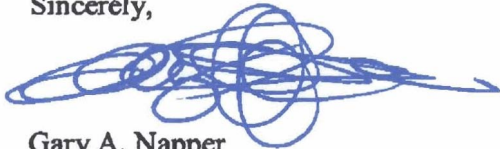
As noted in Attachment No. 1 addressed to the County Chapter of the California Grand Juror's Association in February 2013, no member of the Clayton City Council receives any City-paid monies into a deferred compensation plan selected by an elected official.

Further, in January 2012 the Clayton City Council amended its contract with the California Public Employees' Retirement System (CalPERS) and removed all future elected officials from enrollment or participation in the public pension system of the City. As a consequence of this action, only four (4) of the five (5) currently-seated members of the Clayton City Council are enrolled in CalPERS and that number will be reduced as those incumbents are defeated in subsequent elections or decide to not run again for local office.

Please note that pursuant to CalPERS regulations, once a member has enrolled in CalPERS with a public agency that member cannot voluntarily or by action of a governing body be "de-enrolled" so long as one remains an active member of that public agency.

We hope this information and latest update satisfactorily responds to the two (2) inquiries contained in the Civil Grand Jury's letters dated 08 October 2013. If not, please let me know what further information would be beneficial for compliance.

Sincerely,



Gary A. Napper
City Manager

Attachments: 1. City Response to County Chapter of California Grand Juror's Association [22 pp.]
2. Elected Board Membership Expenses for Calendar Year 2012 [1 pg.]

cc: Honorable Mayor and Clayton City Council Members



June 29, 2011

The Honorable John Laettner
Presiding Judge of the Contra Costa Superior Court
A. F. Bray Court House, Department 25
1020 Ward Street
Martinez, CA 94553

Re: Contra Costa County Grand Jury Report: "Elected Board Membership" (Report 1104)

Dear Judge Laettner:

On behalf of the Concord City Council, this letter will serve as the response to Contra Costa County Grand Jury Report: "Elected Board Membership" (Report 1104) regarding compensation to elected leaders. The City Council reviewed and authorized this response at its meeting of June 28, 2011.

The City of Concord was asked to respond to Findings and Recommendations #1, #2, #4 and #5 of the report.

Finding #1. Sixteen cities and eighteen special districts provide benefits to their elected leaders in some fashion. These benefits may include salary, meeting fees, health care insurance costs, pension or deferred compensation, life insurance premiums, cell phone usage, and internet connections.

Response: The City of Concord has no independent information to verify this finding. However, with respect to the City of Concord, some of these benefits are provided to elected officials. With respect to the City of Concord, the City agrees with this finding. However, Concord Councilmembers do not receive deferred compensation, cell phone usage or stipends, nor free or reimbursed internet connections.

Recommendation #1. All cities and special districts should conduct an annual public review of compensation provided to their respective elected Councils and Boards. This review should include such items as salary, meeting fees, health care insurance costs, pension/deferred compensation, life insurance premiums, cell phone usage, and internet connections. The public review should address whether or not changes in compensation are warranted.

Response: This recommendation is already a practice in the City of Concord. The Concord City Council Policy Development and Internal Operations Committee reviews the Council's portion of the City's budget every year at a public meeting, prior to the Council acting on the City's proposed budget. The Council as a whole reviews and acts on the entire city operating budget, including the Council's operating budget, at public meetings.

Finding #2 states that eight cities, including Concord, spend more than the county-wide average for salary and meeting fees.

Response: The City of Concord has no independent information to verify this finding. With respect to Concord, the City agrees with this finding.

Recommendation #2 states that as part of the annual review in Recommendation #1, a review should be made to consider whether it would be appropriate to implement reductions of salary and meeting fee expenditures to bring them in line with the other cities.

Response: As part of their annual review of the City's operating budget, including the Council's operating budget, Concord City Council members have individually decided to voluntarily reduce their pay & benefits, matching the sacrifices that regular employees have made in each of the last two years. Council members are continuing this practice into Fiscal Year 2011-12. The Grand Jury's recommendation that the "appropriate" pay and benefit level for Council members should be the average level of all cities in the county, is not supported by the Concord City Council. Each city within the County has differing levels of budget, population, and service responsibilities; therefore a "one-size-fits-all" solution hardly seems appropriate. As the Grand Jury's information mentions, Concord is the largest City in the County by population but its Council members are not the highest paid/benefited council members. Concord's City Council will continue to consider their individual pay and benefit levels at its annual budget reviews, and will continue to evaluate the appropriateness of those pay and benefit levels in light of prevailing fiscal conditions.

Contact: Linda Chew
Foreperson
(925) 957-5638

Contra Costa County Grand Jury Report #1104

ELECTED BOARD MEMBERSHIP Public Service or Public Employment?

**TO: Cities and Towns in Contra Costa County (see distribution list)
Independent Special Districts (see distribution list)**

SUMMARY

Given the difficult economic challenges facing local government, the Contra Costa County Grand Jury conducted a survey about compensation for elected Special District Boards (Board) and City Councils (Council). The Grand Jury looked at the use of funds and if the total amounts spent by these agencies for elected officials' compensation seemed reasonable.

The study revealed significant compensation disparities among elected Boards and Councils within Contra Costa County (County).

For example, while Martinez and Oakley both have similar populations of about 35,000 residents, the Martinez City Council total compensation is \$131,326, while Oakley's is only \$28,544.

San Ramon with 60,000 residents pays \$163,190 to its entire Council while Pittsburg, with slightly more residents, pays its Council \$40,035.

Richmond and Antioch, both with around 100,000 residents, pay their entire Councils \$267,139 and \$112,591 respectively.

The Grand Jury recognizes those agencies that pay nothing or minimum compensation and thus demonstrate the spirit of public service.

At the same time, there are a large number of Boards and Councils that are being compensated amounts which may be viewed as exorbitant. Board and Council members are elected to serve their constituents. They set policy, oversee programs and services administered by professional employees and are accountable to the public for their actions.

The Grand Jury believes the public should be aware of the compensation paid to their elected officials, what benefits are provided and whether the compensation structure indicates that the spirit of public service has changed to an entitlement of public employment.

Honorable Judge John Luettner
Grand Jury Response to Report 1104
June 29, 2011
Page 3 of 3

Finding #4. Health Care benefits are provided to elected Board members of twelve cities and nine special districts.

Response: The City of Concord has no independent information to verify this finding. With respect to the City of Concord, the City agrees with this finding.

Recommendation #4. The policy of paying health care insurance costs for Council and Board members should be reviewed to determine whether this practice is appropriate.

Response: This recommendation has been implemented, in that the Concord City Council reviews its own and the entire City's operating budget annually through the budget adoption process. Concord continues to provide this benefit to its Council members because it is viewed as an appropriate Council benefit.

Finding #5. Pension benefits, with potential long-term financial implications for the agency, are provided to Council and Board members by twelve cities and three special districts.

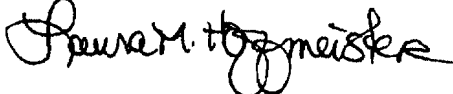
Response: The City of Concord has no independent information to verify this finding. With respect to the City of Concord, the City agrees with this finding.

Recommendation #5. The policy of paying pension or deferred compensation for Council and Board members should be reviewed to determine whether this practice is appropriate.

Response: This recommendation has been implemented, in that the Concord City Council reviews its own and the entire City's operating budget annually through the budget adoption process. Concord continues to provide this benefit to its Council members because it is viewed as an appropriate Council benefit.

I appreciate the time and effort that you and the Grand Jury members have spent considering these matters. Should you have additional questions or concerns, please do not hesitate to contact me.

Very truly yours,



Laura M. Hoffmeister
Mayor

BACKGROUND

County residents are living in very difficult economic times, in which both public agencies and individuals have had to cut spending.

The Grand Jury surveyed all 19 cities in the County as well as the 27 largest independent special districts that have their own publicly elected Boards of Directors. Population information for the analysis was obtained from Local Agency Formation Commission reports. The survey collected data for Fiscal Years (FY) 2008-09 and 2009-10.

Information was requested for the following categories pertaining to annual expenditures for elected officials: salary and/or meeting fees, health care insurance costs, pension or deferred compensation, life insurance premiums, car allowance or mileage, cell phone and/or internet access and travel & conference costs.

The total amount spent county-wide in FY 2009-10 on compensation for the surveyed Boards and Councils was \$2,419,169.

The following data is grouped by cities and special districts. Data reported are the total amounts for each Board or Council regardless of the number of elected members. All cities have five elected Council members with the exception of Richmond, which has seven. All special districts have five Board members except the Byron-Bethany Irrigation District, which has nine, with two vacancies.

Cities

- The average annual amount spent for each Council was \$77,895.
- Lafayette, Moraga and Orinda had minimal expenses for their elected leaders.
- Eight cities compensate their elected leaders more than the average for all surveyed. These cities spent an average of \$136,145. Of that amount, 76.4% was paid for salary and/or meeting fees and health care benefits. See table below.
- Twelve cities pay for elected officials' pensions or other forms of retirement benefits.
- Twelve cities pay for elected officials' health care insurance costs.
- Eight cities pay life insurance premiums for elected officials.
- Six cities pay for elected officials' cell phone or internet access.

The following table summarizes the compensation data collected for the cities.

Total Council Compensation Expense

Cities	Population	Cost	Salary and/or Meeting Fees	Health Care Insurance Costs	Pension & Deferred Comp	Other Costs
City of Lafayette	24,500	\$631	\$0	\$0	\$0	\$631
Town of Moraga	16,800	\$2,673	\$0	\$0	\$0	\$2,673
City of Orinda	17,600	\$2,801	\$0	\$0	\$0	\$2,801
City of Oakley	34,000	\$28,544	\$27,924	\$0	\$0	\$620
City of Clayton	10,784	\$29,590	\$23,400	\$0	\$4,640	\$1,550
City of El Cerrito	23,596	\$37,613	\$26,710	\$0	\$3,574	\$7,329
City of Pittsburg	63,004	\$40,035	\$33,240	\$5,220	\$0	\$1,575
Town of Danville	42,601	\$54,998	\$40,064	\$11,764	\$1,502	\$1,668
City of Pinole	19,193	\$59,965	\$17,862	\$41,396	\$0	\$707
City of Walnut Creek	66,000	\$61,798	\$35,100	\$0	\$16,086	\$10,612
City of Pleasant Hill	33,377	\$72,206	\$37,950	\$27,541	\$4,569	\$2,146
City of Brentwood	50,614	\$91,998	\$34,155	\$42,425	\$2,186	\$13,232
City of Hercules	23,000	\$93,691	\$51,960	\$34,141	\$5,059	\$2,531
City of San Pablo	30,950	\$100,961	\$45,210	\$37,906	\$6,555	\$11,290
City of Antioch	100,150	\$112,591	\$53,746	\$1,922	\$5,576	\$51,346
City of Concord	124,780	\$128,262	\$74,580	\$42,303	\$10,720	\$659
City of Martinez	36,179	\$131,326	\$46,200	\$71,416	\$9,697	\$4,012
City of San Ramon	59,002	\$163,190	\$47,935	\$59,768	\$12,457	\$43,030
City of Richmond	102,186	\$267,139	\$152,130	\$53,700	\$0	\$61,309
Total of 19 Cities		\$1,480,012	\$748,166	\$429,502	\$82,622	\$219,721
Average of 19 Cities		\$77,895	\$39,377	\$22,605	\$4,349	\$11,564

Note: Richmond has seven Council members; all other cities have five Council members

Special Districts

- The average annual amount spent for each Board was \$34,784.
- Nine special districts paid their elected leaders from zero to less than \$100 in total. They are: Crockett Community Services District, Diablo Community Services District, Kensington Police Protection & Community Services District, Town of Knightsen Community Services District, Kensington Fire Protection District, Rodeo-Hercules Fire Protection District, Bethel Island Municipal Improvement District, Green Valley Recreation and Park District, and Moraga-Orinda Fire District.
- Eight special districts compensate their elected officials more than the average for all surveyed. These districts spent an average of \$99,089. Of that amount 87.7% was paid for salary and/or meeting fees and health care insurance costs. See the table below.
- Eight out of the nine most generous special districts are water or wastewater providers that pass on their costs to rate payers.
- Three special districts contribute to pension or other form of retirement benefits for one or more elected officials.

- Nine special districts pay for health care insurance costs for one or more elected officials.
- Four special districts pay life insurance premiums for one or more elected officials.

The following table summarizes the compensation data collected for the 27 special districts.

Total Special District Board Compensation Expense

Special District	Population	Total Cost	Salary & Meeting Fees	Health Care Insurance Costs	Pension	Other Costs
Crockett Community Services District	3,500	\$0	\$0	\$0	\$0	\$0
Diablo Community Services District	1,200	\$0	\$0	\$0	\$0	\$0
Kensington Police Prot & Com. Serv. Dist.	5,000	\$0	\$0	\$0	\$0	\$0
Knighten Town Community Serv. Dist	1,500	\$0	\$0	\$0	\$0	\$0
Kensington Fire Protection District	4,936	\$0	\$0	\$0	\$0	\$0
Rodeo-Hercules Fire Protection District	30,000	\$0	\$0	\$0	\$0	\$0
Bethel Island Municipal Improve District	3,000	\$0	\$0	\$0	\$0	\$0
Green Valley Recreation and Park District	473	\$0	\$0	\$0	\$0	\$0
Moraga-Orinda Fire District	42,000	\$50	\$0	\$0	\$0	\$50
Byron Sanitary District	995	\$4,425	\$4,425	\$0	\$0	\$0
Diablo Water District	31,000	\$7,365	\$7,300	\$0	\$0	\$65
Ambrose Recreation and Park District	23,000	\$7,858	\$5,150	\$0	\$0	\$2,708
Rodeo Sanitary District	8,717	\$8,975	\$8,975	\$0	\$0	\$0
San Ramon Valley Fire Protection Dist	158,071	\$12,331	\$8,085	\$0	\$0	\$4,246
Pleasant Hill Recreation and Park District	40,003	\$15,226	\$12,500	\$0	\$0	\$2,726
West Contra Costa Healthcare District	201,196	\$16,385	\$8,200	\$4,188	\$0	\$3,997
Los Medanos Comm. Healthcare District	81,953	\$20,500	\$20,500	\$0	\$0	\$0
Discovery Bay Community Services Dist	15,000	\$22,661	\$22,500	\$0	\$0	\$161
Stege Sanitary District	40,000	\$30,670	\$22,540	\$0	\$0	\$8,130
Mt. View Sanitary District	18,253	\$41,283	\$19,307	\$12,593	\$0	\$9,383
Mt. Diablo Healthcare District	191,452	\$42,498	\$0	\$42,498	\$0	\$0
East Contra Costa Irrigation District	60,000	\$76,227	\$3,605	\$72,192	\$0	\$430
Ironhouse Sanitary District	35,350	\$94,070	\$28,220	\$62,780	\$2,051	\$1,020
Contra Costa Water District	550,000	\$99,826	\$36,700	\$41,177	\$0	\$21,949
Byron-Bethany Irrigation District	3,000	\$105,380	\$5,360	\$99,684	\$0	\$336
Central Contra Costa Sanitary District	451,900	\$158,174	\$52,156	\$90,435	\$0	\$15,583
West County Wastewater District	124,398	\$175,254	\$93,934	\$44,277	\$18,823	\$18,220
Total of 27 Special Districts		\$939,158	\$359,457	\$469,823	\$20,873	\$89,005
Average of 27 Special Districts		\$34,784	\$13,313	\$17,401	\$773	\$3,296

Note: Byron-Bethany Irrigation District has nine Board members, of which two are vacant; all other special districts have five Board members.

Contra Costa Water District reported no pensions paid but has a provision in their retirement plan to pay a pension for Board members at age 62 after 10 years of service.

Professional full-time managers are hired to run each agency. Historically, elected officials have looked upon their work as public service for the betterment of the community. Agencies have provided their elected leaders with benefits. These include health care insurance, employer paid retirement benefits, life insurance premiums, payments for cell phone/internet access, and mileage reimbursement or car allowance.

The total dollar amounts are small in relation to agency overall budgets. However, services to the public are being reduced in most agencies which usually means staff reductions. Although service reductions have been implemented, governing boards have continued to enjoy the same level of benefits. They should demonstrate their leadership by eliminating or reducing benefits.

FINDINGS AND RECOMMENDATIONS

Each agency named needs to respond only for its own practices.

Finding # 1: Sixteen cities and eighteen special districts provide benefits to their elected leaders in some fashion. These benefits may include salary, meeting fees, health care insurance costs, pension or deferred compensation, life insurance premiums, cell phone usage, and internet connections.

Recommendation # 1: All cities and special districts should conduct an annual public review of compensation provided to their respective elected Councils and Boards. This review should include such items as salary, meeting fees, health care insurance costs, pension/deferred compensation, life insurance premiums, cell phone usage, and internet connections. The public review should address whether or not changes in compensation are warranted.

Finding # 2: Eight cities spend more than the county-wide average (\$39,377) for salary and meeting fees. They are: Antioch, Concord, Danville, Hercules, Martinez, Richmond, San Pablo and San Ramon.

Recommendation # 2: These cities, as part of the annual review in Recommendation 1, should consider whether it would be appropriate to implement reductions of salary and meeting fee expenditures to bring them in line with other cities.

Finding # 3: Eight special districts spend more than the county-wide average (\$13,313) for salary and meeting fees. They are: Central Contra Costa Sanitary District, Contra Costa Water District, Discovery Bay Community Services District, Ironhouse Sanitary District, Los Medanos Community Healthcare District, Mt. View Sanitary District, Stege Sanitary District and West County Wastewater District.

Recommendation # 3: These special districts, as part of the annual review in Recommendation 1, should consider whether it would be appropriate to implement a

reduction of salary and meeting fee expenditures to bring them in line with other special districts.

Finding # 4: Health care benefits are provided to elected Board members by twelve cities and nine special districts.

Recommendation # 4: The policy of paying health care insurance costs for Council and Board members should be reviewed to determine whether this practice is appropriate. The agencies following this practice are:

Cities: Antioch, Brentwood, Concord, Danville, Hercules, Martinez, Pinole, Pittsburg, Pleasant Hill, Richmond, San Pablo and San Ramon.

Special Districts: Byron-Bethany Irrigation District, Central Contra Costa Sanitary District, Contra Costa Water District, East Contra Costa Irrigation District, Ironhouse Sanitary District, Mt. Diablo Healthcare District, Mt. View Sanitary District, West Contra Costa Healthcare District and West County Wastewater District.

Finding # 5: Pension benefits, with potential long-term financial implications for the agency, are provided to Council and Board members by twelve cities and three special districts.

Recommendation # 5: The policy of paying pension or deferred compensation for Council and Board members should be reviewed to determine whether this practice is appropriate. The agencies following this practice are:

Cities: Antioch, Brentwood, Clayton, Concord, Danville, El Cerrito, Hercules, Martinez, Pleasant Hill, San Pablo, San Ramon and Walnut Creek.

Special Districts: Central Contra Costa Sanitary District, Ironhouse Sanitary District and West County Wastewater District.

REQUIRED RESPONSES

Findings and Recommendations:

Cities and Towns

Antioch	1, 2, 4 and 5
Brentwood	1, 4 and 5
Clayton	1 and 5
Concord	1, 2, 4 and 5
Danville	1, 2, 4 and 5
El Cerrito	1 and 5
Hercules	1, 2, 4 and 5
Martinez	1, 2, 4 and 5
Oakley	1
Pinole	1 and 4
Pittsburg	1 and 4
Pleasant Hill	1, 4 and 5
Richmond	1, 2 and 4

San Pablo	1, 2, 4 and 5
San Ramon	1, 2, 4 and 5
Walnut Creek	1 and 5

Independent Special Districts:

Ambrose Recreation and Park District	1
Byron-Bethany Irrigation District	1 and 4
Byron Sanitary District	1
Central Contra Costa Sanitary District	1, 3, 4 and 5
Contra Costa Water District	1, 3 and 4
Diablo Water District	1
Discovery Bay Community Services District	1 and 3
East Contra Costa Irrigation District	1 and 4
Ironhouse Sanitary District	1, 3, 4 and 5
Los Medanos Community Healthcare District	1 and 3
Mt. Diablo Healthcare District	1 and 4
Mt. View Sanitary District	1, 3 and 4
Pleasant Hill Recreation and Park District	1
Rodeo Sanitary District	1
San Ramon Valley Fire Protection District	1
Stege Sanitary District	1 and 3
West Contra Costa County Healthcare District	1 and 4
West County Wastewater District	1, 3, 4 and 5

Distribution List:

Cities and Towns

Antioch, Brentwood, Clayton, Concord, Danville, El Cerrito, Hercules, Lafayette, Martinez, Moraga, Oakley, Orinda, Pinole, Pittsburg, Pleasant Hill, Richmond, San Pablo, San Ramon and Walnut Creek.

Independent Special Districts:

Crockett Community Services District, Diablo Community Services District, Discovery Bay Community Services District, Kensington Police Protection and Community Services District, Knightsen Community Services District, Kensington Fire Protection District, Moraga-Orinda Fire District, Rodeo-Hercules Fire Protection District, San Ramon Valley Fire Protection District, Los Medanos Community Healthcare District, Mt. Diablo Healthcare District, West Contra Costa County Healthcare District, Byron-Bethany Irrigation District, East Contra Costa Irrigation District, Bethel Island Municipal Improvement District, Ambrose Recreation and Park District, Green Valley Recreation and Park District, Pleasant Hill Recreation and Park District, Byron Sanitary District, Central Contra Costa Sanitary District, Ironhouse Sanitary District, Mt. View Sanitary District, Rodeo Sanitary District, Stege Sanitary District, West County Wastewater District, Contra Costa Water District and Diablo Water District.

Grand Jury

Contra Costa County

725 Court Street
P.O. Box 911
Martinez, CA 94553-0091

October 8, 2013

City of Concord
Mr. Daniel E. Keen, City Manager
1950 Parkside Drive
Concord, CA 94519



RECEIVED
OCT 21 2013
CITY MGR'S. OFFICE

Dear Mr. Keen:

I am writing to you as the Foreperson of the 2013-2014 Contra Costa Civil Grand Jury. One of our responsibilities is to follow up on previous Grand Jury Reports and promised implementation of Grand Jury Recommendations.

The response by the City of Concord to one recommendation in the 2011-2012 Grand Jury Report indicated intent to take action, and we are requesting conformation of exactly what action was taken.

In Report Number 1104, entitled "Benefits for Elected Board Members", the Grand Jury made the following Recommendation:

Recommendation # 2: These cities, as part of the annual review in Recommendation 1, should consider whether it would be appropriate to implement reductions of salary and meeting fee expenditures to bring them in line with other cities.

Following is the Response received:

Will implement.

Please provide us with an update on your response to this Grand Jury Recommendation.

We would appreciate your response by November 19, 2013. You can send your response electronically to: Richard Means at rm.grandjury@gmail.com.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Stephen D. Conlin".

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury

The Board of Supervisors

County Administration Building
651 Pine Street, Room 107
Martinez, California 94553-1293

John M. Gioia, 1st District
Candace Andersen, 2nd District
Mary N. Piepho, 3rd District
Karen Mitchoff, 4th District
Federal D. Glover, 5th District

Contra Costa County



✓
David J. Twa
Clerk of the Board
and
County Administrator
(925) 335-1900

October 21, 2013

Mr. Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand jury
725 Court Street
Martinez, CA 94553

RE: Report Number 1106, Collaborating Proves Successful

Dear Mr. Conlin:

In response to your letter of October 08, 2013, and specifically to Recommendation # 2 from the 2011-2012 Grand Jury Report Number 1106, entitled "Collaborating Proves Successful."

The majority of Department Heads report to the County Administrator who is responsible for their annual performance plan. The County Administrator advises that as he meets with the Department Heads each month, and as a part of his annual performance review of the Department Heads he does require them to identify and report on possible collaborative efforts. The following three examples are representative of how Departments are involved in collaborative efforts.

1. Employment & Human Services Director – reports monthly to the County Administrator on collaboration within County Departments and with community organizations. The recent addition of the Affordable Care Act (ACA) Call Center has required significant collaboration with both internal and external stakeholders.
2. County Probation Officer – Community Corrections Partnership (CCP) requires extensive collaboration with many County Departments including the Sheriff and District Attorney, as well as with many Community Based Organizations that provide services to the AB 109 population. All of these Organizations meet monthly with the County Probation Officer serving as Chair of the Committee to coordinate efforts.
3. County Administrator - meets monthly with all the City Managers of Contra Costa County to discuss ways to cooperate between the Cities and the County. Recently these have resulted in closer collaboration in the areas of fire services and library activities.

Sincerely,

A handwritten signature in black ink, appearing to read "Federal D. Glover".

Federal D. Glover, Chair
Contra Costa County Board of Supervisors

cc: Board of Supervisors

The Board of Supervisors

County Administration Building
651 Pine Street, Room 106
Martinez, California 94553-1293

John Gioia, 1st District
Candice Anderson, 2nd District
Mary N. Piepho, 3rd District
Karen Mitchoff, 4th District
Federal D. Glover, 5th District

Contra Costa County



David Twa
Clerk of the Board
and
County Administrator
(925) 335-1900

October 21, 2013

Stephen D. Conlin, Foreperson
Contra Costa County Grand Jury
725 Court Street
Martinez, CA 94553-0091

Dear Mr. Conlin,

This letter is in response to your letter of October 8, 2013 regarding Grand Jury Report No. 1107. Grand Jury Report No. 1107 recommended that the Board of Supervisors seek special legislation to enable the County to cap retirement income so that no employee receives a pension greater than the base salary earned. The Board of Supervisors' response was that the County was seeking implementation of such an action.

Since Grand Jury Report No. 1107 was issued, the landscape of Contra Costa County pensions has changed dramatically. Contra Costa did begin the process of negotiating pension reform. All of the contracts negotiated in the 2010-2012 negotiation cycle included language for implementation of new General and Safety pension tiers. Terms of the new tiers were negotiated, language was pending as Senate Bill 1494, and the County had requested new pension rates from the Contra Costa County Employees' Retirement Association (CCCERA) when AB 340 and AB 197 (Public Employees' Pension Reform Act of 2013) derailed the County's pending bill.

Senate Bill 1494 included the following provisions: 1) Safety Tier D – 3% at 55 years of age, 2% COLA, 36 month final average compensation, and a 90% compensation cap, the tier was to be mandatory for new and rehired safety employees; and 2) General Tier IV – 2% at 60 years of age, 2% COLA, 36 month final average compensation, and a 90% compensation cap, this tier was also to be mandatory for new and rehired safety employees. The County discontinued pursuit of this bill's adoption due to the adoption of the Public Employees' Pension Reform Act of 2013 (PEPRA).

PEPRA includes the following provisions: 1) Safety/Option 2 – 2.7% at 57 years of age, 2% COLA, 36 month final average compensation, a maximum salary for pension calculation of \$132,120 (plus CPI), and elimination of terminal pays; and 2) General Tier – 2% at 62 years of age, 2% COLA, 36 month final average compensation, a maximum salary for pension calculation of \$110,100 (plus CPI), and elimination of terminal pays.

Another change since the implementation of PEPRA occurred due to a policy change by the CCCERA Board. The Board of Retirement adopted an updated Board Compensation Policy listing items of compensation that are included in "compensation", "compensation earnable", and "final compensation" as defined in Government Code Sections 31460, 31461, and 31462.1.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Federal D. Glover".

Federal Glover
Chair, Contra Costa County

cc: Board of Supervisors



1331 Concord Avenue
P.O. Box H2O
Concord, CA 94524
(925) 688-8000 FAX (925) 688-8122
www.ccwater.com

November 4, 2013

Directors
Joseph L. Campbell
President

Karl L. Wandry
Vice President

Bette Boatman
Lisa M. Borba
John A. Burgh

Jerry Brown
General Manager

Mr. Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
P.O. Box 911A
Martinez, CA 94553-0091

Dear Mr. Conlin:

The following is Contra Costa Water District's (CCWD) response to the Grand Jury's follow-up on Report Number 1104, entitled "Benefits for Elected Board Members". This letter addresses the follow-up for Recommendations #3 and #4 of the 2011-2012 Grand Jury Report.

Recommendation #3: *These special districts, as part of the annual review in recommendation 1, should consider whether it would be appropriate to implement a reduction of salary and meeting fee for expenditure to bring them in line with other special districts.*

CCWD agreed with this recommendation in its original response, and subsequently completed a review of Board member meeting fees (compensation) during the development of its 2013-2014 budget. Board members are currently compensated \$100 per meeting attended, maximum of ten meetings per month, for total maximum compensation of \$1,000 per month. Board members do not receive any salary. The District compared its Board member compensation practices to other comparable regional utility special districts with elected Boards, and noted that its Board compensation levels are at or below those of other regional special districts. Also, there has been no increase in the \$100 per meeting compensation for over twelve years. These results were discussed by the Board at the Board Study Session held October 11, 2013. The Board thoroughly evaluated but made no change in Board compensation practices with the adoption of the 2013-2014 budget in May 2012.

Recommendation #4: *The policy of paying health care insurance costs for Council and Board members should be reviewed to determine whether this practice is appropriate.*

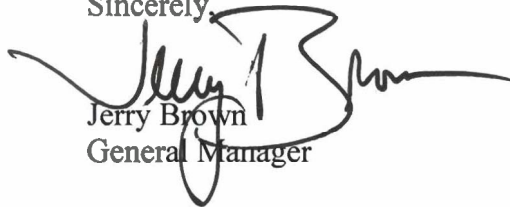
CCWD agreed with this recommendation in its original response, and subsequently completed a review of the policy for paying Board member health care insurance costs during the development of its 2013-2014 budget. The review included a market-based comparison to other comparable regional utility special districts with elected Boards, and noted that the District's policy of offering Board members

Mr. Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
November 4, 2013
Page 2 of 2

health care insurance is consistent with other regional special districts. As such, the Board made no change in its policy with the adoption of the 2013-2014 budget in May 2012.

Please contact me at 925-688-8034 if you have any questions regarding this response.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Brown", with a long horizontal flourish extending to the right.

Jerry Brown
General Manager

JB/BJB/kc

Attachments

cc: CCWD Board of Directors

Grand Jury

Contra Costa County

725 Court Street
P.O. Box 911
Martinez, CA 94553-0091

October 8, 2013

Contra Costa Water District
Mr. Jerry Brown, General Manager
P.O. Box H20
Concord, CA 94520



Dear Mr. Brown:

I am writing to you as the Foreperson of the 2013-2014 Contra Costa Civil Grand Jury. One of our responsibilities is to follow up on previous Grand Jury Reports and promised implementation of Grand Jury Recommendations.

The response by the Contra Costa Water District to one recommendation in the 2011-2012 Grand Jury Report indicated intent to take action, and we are requesting conformation of exactly what action was taken.

In Report Number 1104, entitled "Benefits for Elected Board Members", the Grand Jury made the following Recommendation:

Recommendation # 3: These special districts, as part of the annual review in recommendation 1, should consider whether it would be appropriate to implement a reduction of salary and meeting fee for expenditures to bring them in line with other special districts.

Following is the Response received:

Will implement in 2013-2014 budget.

Please provide us with an update on your response to this Grand Jury Recommendation.

We would appreciate your response by November 19, 2013. You can send your response electronically to: Richard Means at rm.grandjury@gmail.com.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Stephen D. Conlin".

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury

Grand Jury

Contra Costa County

725 Court Street
P.O. Box 911
Martinez, CA 94553-0091

October 8, 2013

Contra Costa Water District
Mr. Jerry Brown, General Manager
P.O. Box H2O
Concord, CA 94520



Dear Mr. Brown:

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Recommendation # 4: The policy of paying health care insurance costs for Council and Board members should be reviewed to determine whether this practice is appropriate.

Following is the Response received:

Will implement.

Please provide us with an update on your response to this Grand Jury Recommendation.

We would appreciate your response by November 19, 2013. You can send your response electronically to: Richard Means at rm.grandjury@gmail.com.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Stephen D. Conlin".

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury



*"Small Town Atmosphere
Outstanding Quality of Life"*

November 14, 2013

Mr. Stephen D. Conlin
Foreperson
Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091

Re: Update on Contra Costa County Civil Grand Jury Report No. 1104: "Elected Board Membership" Recommendations #1, #2 and #5

Dear Mr. Conlin:

This letter responds to the Contra Costa Civil Grand Jury's requests (Attachment A) for an update on the implementation of Recommendations #1 and #2 for Report No. 1104: "Benefits for Elected Board Members." Our initial response to the Grand Jury's findings were submitted to the Civil Grand Jury on June 8, 2011 (Attachment B).

Implementation of Recommendation #1

Recommendation #1 (submitted by the Civil Grand Jury): All cities and special districts should conduct an annual public review of compensation provided to their respective elected Councils and Boards. This review should include such items as salary, meeting fees, health care insurance costs, pension/deferred compensation, life insurance premiums, cell phone usage, and internet connections. The public review should address whether or not changes in compensation are warranted.

Implementation Status: This recommendation was implemented and has been in place since June 21, 2011. The public has an opportunity to address whether or not changes in compensation are warranted, as part of the annual budget review process. The Town Council's compensation is clearly itemized in the annual budget, including: salary, meeting expenses, health expense reimbursement and deferred compensation contribution.

Implementation of Recommendation #2

Recommendation #2 (submitted by the Civil Grand Jury): These cities, as part of the annual review in Recommendation #1, should consider whether it would be appropriate to

510 LA GONDA WAY, DANVILLE, CALIFORNIA 94526

Administration
(925) 314-3388

Building
(925) 314-3330

Engineering & Planning
(925) 314-3310

Transportation
(925) 314-3320

Maintenance
(925) 314-3450

Police
(925) 314-3700

Parks and Recreation
(925) 314-3400

November 14, 2013

Page 2

implement reductions of salary and meeting fee expenditures to bring them in line with other cities.

Implementation Status: As noted in the implementation status for Recommendation #1, this recommendation has been implemented.

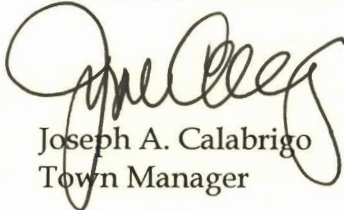
Implementation of Recommendation #5

Recommendation #5 (submitted by the Civil Grand Jury): The policy of paying pension or deferred compensation for Council and Board members should be reviewed to determine whether this practice is appropriate.

Implementation Status: As noted in the implementation status for Recommendation #1, this recommendation has been implemented.

Sincerely,

TOWN OF DANVILLE



Joseph A. Calabrigo
Town Manager

Attachments:

- A- Request letters from the Civil Grand Jury on implementation of Contra Costa County Civil Grand Jury Report No. 1104: "Elected Board Membership" Recommendations #1, #2 and #5
- B- June 8, 2011 response to Contra Costa County Grand Jury Report No. 1104, "Elected Board Membership"

Grand Jury

Contra
Costa
County

725 Court Street
P.O. Box 911
Martinez, CA 94553-0091

ATTACHMENT A

October 8, 2013

Town of Danville
Mr. Joseph A. Calabrigo, Town Manager
510 La Gonda Way
Danville, CA 94526



Dear Mr. Calabrigo:

I am writing to you as the Foreperson of the 2013-2014 Contra Costa Civil Grand Jury. One of our responsibilities is to follow up on previous Grand Jury Reports and promised implementation of Grand Jury Recommendations.

The response by the Town of Danville to one recommendation in the 2011-2012 Grand Jury Report indicated intent to take action, and we are requesting conformation of exactly what action was taken.

In Report Number 1104, entitled "Benefits for Elected Board Members", the Grand Jury made the following Recommendation #1:

All cities and special districts should conduct an annual public review of compensation provided to their respective elected Councils and Boards. This review should include such items as salary, meeting fees, health care insurance costs, pension deferred compensation, life insurance premiums, cell phone usage, and internet connections. The public review should address whether or not changes in compensation are warranted.

Following is the Response received:

Will implement.

Please provide us with an update on your response to this Grand Jury Recommendation.

We would appreciate your response by November 19, 2013. You can send your response electronically to: Richard Means at rm.grandjury@gmail.com.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Stephen D. Conlin".

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury



Grand Jury

Contra Costa County

725 Court Street
P.O. Box 911
Martinez, CA 94553-0091

October 8, 2013

Town of Danville
Mr. Joseph A. Calabrigo, Town Manager
510 La Gonda Way
Danville, CA 94526



Dear Mr. Calabrigo:

I am writing to you as the Foreperson of the 2013-2014 Contra Costa Civil Grand Jury. One of our responsibilities is to follow up on previous Grand Jury Reports and promised implementation of Grand Jury Recommendations.

The response by the Town of Danville to one recommendation in the 2011-2012 Grand Jury Report indicated intent to take action, and we are requesting conformation of exactly what action was taken.

In Report Number 1104, entitled "Benefits for Elected Board Members", the Grand Jury made the following Recommendation:

Recommendation # 2: These cities, as part of the annual review in Recommendation 1, should consider whether it would be appropriate to implement reductions of salary and meeting fee expenditures to bring them in line with other cities.

Following is the Response received:

Will implement.

Please provide us with an update on your response to this Grand Jury Recommendation.

We would appreciate your response by November 19, 2013. You can send your response electronically to: Richard Means at rm.grandjury@gmail.com.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Stephen D. Conlin".

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury



Grand Jury

Contra Costa County

725 Court Street
P.O. Box 911
Martinez, CA 94553-0091

October 8, 2013

Town of Danville
Mr. Joseph A. Calabrigo, Town Manager
510 La Gonad Way
Danville, CA 94526



Dear Mr. Calabrigo:

I am writing to you as the Foreperson of the 2013-2014 Contra Costa Civil Grand Jury. One of our responsibilities is to follow up on previous Grand Jury Reports and promised implementation of Grand Jury Recommendations.

The response by the Town of Danville to one recommendation in the 2011-2012 Grand Jury Report indicated intent to take action, and we are requesting conformation of exactly what action was taken.

In Report Number 1104, entitled "Benefits for Elected Board Members", the Grand Jury made the following Recommendation:

Recommendation # 5: The policy of paying pension or deferred compensation for Council and Board members should be reviewed to determine whether this practice is appropriate.

Following is the Response received:

Will implement.

Please provide us with an update on your response to this Grand Jury Recommendation.

We would appreciate your response by November 19, 2013. You can send your response electronically to: Richard Means at rm.grandjury@gmail.com.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Stephen D. Conlin".

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury





ATTACHMENT B

*"Small Town Atmosphere
Outstanding Quality of Life"*

June 8, 2011

Honorable John Laettner, Presiding Judge
Contra Costa County Superior Court
A.F. Bray Court House, Department 25
1020 Ward Street, Martinez, CA 94553

Re: Contra Costa County Grand Jury Report No. 1104
"Elected Board Membership"

Dear Judge Laettner:

Pursuant to California Penal Code Section 933.05, this letter responds to Contra Costa County Grand Jury Report No. 1104, "Elected Board Membership." This response was reviewed and authorized by the Town Council at a duly noticed regular meeting on June 7, 2011.

As requested in the Grand Jury report, Danville will respond to each finding and recommendation separately.

Grand Jury Findings

Finding #1: Sixteen cities and 18 special districts provide benefits to their elected leaders in some fashion. These benefits may include salary, meeting fees, health care insurance costs, pension or deferred compensation, life insurance premiums, cell phone usage, and internet connections.

Response: *Danville agrees with Finding #1.* Danville cannot address the practices of other jurisdictions, and has not independently verified information presented in the Grand Jury report. Based upon the report these benefits are being provided in various jurisdictions including Danville.

Finding #2: Eight cities spend more than the countywide average (\$39,377) for salary and meeting fees. They are Antioch, Concord, Danville, Hercules, Martinez, Richmond, San Pablo and San Ramon.

Response: *Danville agrees with Finding #2.* Based upon the information contained in the report, eight cities spend more than the mathematical countywide average of \$39,377 for salary and meeting fees.

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Parks and Recreation
(925) 314-3400

Danville cannot address the practices of other jurisdictions, and has not independently verified information presented in the Grand Jury report.

Based upon population, Danville is the eight largest city in Contra Costa County. According to the information cited in the report, Danville ranks twelfth in Total Compensation and eighth in Total Salary and/or Meeting Fees.

The report identifies mathematical averages for Total Council Compensation, and Salary and/or Meeting Expense. Danville's Total Compensation of \$54,998 is significantly less than the mathematical average of \$77,895 identified in the report. Danville's Salary and/or Meeting Fees of \$40,064 exceed the mathematical annual average by \$687. The amounts cited represent the sum total amount that was paid for all five Town Council members for the year.

The Grand Jury report does not cite or address Government Code Section 36516, which sets forth the methodology by which salaries are to be set for city/town council members in general law cities. Per this code section, salary levels are determined through a two-step process, which ties a base salary amount to the population of the city, and allows for adjustments of up to 5% per year. Individual Council members receive monthly amounts of \$675 for salary, \$250 for health care reimbursement and a \$25 deferred compensation contribution.

Town Council salary is set by ordinance, at a duly noticed public meeting, and salary adjustments may only occur when a new term of office begins. As a practical matter, this means that the salary can only be adjusted every two years after a municipal election. As a General Law city, Danville is in full compliance with Government Code Section 36516.

Finding #3: This finding pertains to the Special Districts included in the Grand Jury report and Danville is not required to respond.

Finding # 4: Health care benefits are provided to elected Board members by 12 cities and nine special districts.

Response: *Danville agrees with Finding #4.* Danville cannot address the practices of other jurisdictions, and has not independently verified information presented in the Grand Jury report. Based upon the report these benefits are being provided in various jurisdictions including Danville.

Finding #5: Pension benefits, with potential long-term financial implications for the agency, are provided to Council and Board members by 12 cities and three special districts.

Response: *Danville partially disagrees with Finding #5.* Danville cannot address the practices of other jurisdictions, and has not independently verified information presented in the Grand Jury report. Based upon the report these benefits are being provided in various jurisdictions.

Changes enacted to federal law in 1990, required that all government employees not in the agency's pension system (typically part-time, temporary or seasonal workers) be included in Social Security or some alternate system. Because the Town does not participate in Social Security and excludes council members from the Town's 401(a) pension plan, council members were placed in the alternate plan along with the Town's part-time and temporary employees. This plan requires the Town to pay an amount equal to 3.75% of salary into a 457 deferred compensation plan. For council members this amount is \$25 per month. Given that this is a defined contribution amount, it cannot create an unfunded liability and does not present the Town with "long term financial implications."

Grand Jury Recommendations

Recommendation #1: All cities and special districts should conduct an annual public review of compensation provided to their respective elected Councils and Boards. This review should include such items as salary, meeting fees, health care insurance costs, pension/deferred compensation, life insurance premiums, cell phone usage, and internet connections. The public review should address whether or not changes in compensation are warranted.

Response: *The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.*

The Town Council does not receive meeting fees, life insurance premiums or cell phone stipends. Town Council costs, including salaries and all related expenses, are included in a separate "Town Council" budget, which is contained within the annual Operating Budget. As referenced in the response to Finding #2, individual Council members receive monthly amounts of \$675 for salary, \$250 for health care reimbursement and a \$25 deferred compensation contribution.

Danville's budget process is a transparent one that includes four public study sessions and one public hearing annually. The Town Council budget is subject to annual public review, and budget information is available both in hard copy and electronically on line. The public review provides the opportunity to address whether or not changes in compensation are warranted.

Town Council expenditures are accounted for and tracked separately and Town Council compensation is included as part of Town salary and compensation information posted on the Town website and reported to the State Controller. Town Council salary is set by ordinance, and consideration of any changes can only occur at a duly noticed public meeting.

It should be noted that while the Town, as a general law city, can conduct an annual review of Town Council compensation, the Town can only adjust such compensation at the end of each councilmembers term of office. 80 Ops.Cal.Atty.Gen. 119 (1997); Government Code Section 36516.5.

In order to further address this recommendation, by September 30, 2011, the "Town Council" budget format will be further itemized to coincide with applicable categories included in the recommendation, including: salary, meeting expenses, health expense reimbursement and deferred compensation contribution.

Recommendation #2: These cities, as part of the annual review in Recommendation #1, should consider whether it would be appropriate to implement reductions of salary and meeting fee expenditures to bring them in line with other cities.

Response: *The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.*

Based upon population, Danville is the eight largest city in Contra Costa County. According to the information cited in the report, Danville ranks twelfth in Total Compensation and eighth in Total Salary and/or Meeting Fees. The sum Total Compensation amount that was paid for all five Town Council members in 2010 was \$54,998, significantly less than the average of \$77,895 cited in the report. On this basis, Danville's compensation is not "out of line" with other cities.

Danville is in full compliance with Government Code Section 36516 which sets forth the methodology by which salaries are to be set for city/town council members in general law cities, and the compensation level based upon city/town population size.

As noted in the response to Recommendation #1, by September 30, 2011, the Town Council budget format will be further itemized to coincide with applicable categories included in the recommendation, including salary and meeting expenses.

Recommendation #3: This recommendation pertains to the Special Districts included in the Grand Jury report and Danville is not required to respond.

Honorable John Laettner, Presiding Judge
June 8, 2011
Page 5

Recommendation #4: The policy of paying health care insurance costs for Council and Board members should be reviewed to determine whether this practice is appropriate. The agencies following this practice are:

Cities: Antioch, Brentwood, Concord, Danville, Hercules, Martinez, Pinole, Pittsburg, Pleasant Hill, Richmond, San Pablo and San Ramon.

Response: *The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.*

The Town does not pay "health care insurance costs" for Town Council members. Government Code Sections 53200-53210 allow cities to provide health and welfare benefits to members of the city council. In 1995, the Town Council adopted Resolution No. 167-95, which provided that the Town would set aside a health benefit allotment of up to \$250 per month for Town Council members. This monthly amount is held in the name of each councilmember in the Town's cafeteria plan and may be used towards the cost of purchasing health insurance through the Town or for reimbursement of medical expenses as allowed by the IRS through the Town's flexible spending plan. Any amounts not used at the end of the calendar year are forfeited and returned to the Town. This benefit meets all applicable requirements of the Government Code.

Parallel to the comment made in response to Recommendation #1, the Town, as a general law city, can conduct an annual review of Town Council health and welfare benefits, but can only adjust such benefits at the end of each Council member's term of office.
80 Ops.Cal.Atty.Gen. 119 (1997).

As noted in the response to Recommendation #1, by September 30, 2011, the Town Council budget format will be further itemized to coincide with applicable categories included in the recommendation including health expense reimbursement.

Recommendation #5: The policy of paying pension or deferred compensation for Council and Board members should be reviewed to determine whether this practice is appropriate. The agencies following this practice are:

Cities: Antioch, Brentwood, Clayton, Concord, Danville, El Cerrito, Hercules, Martinez, Pleasant Hill, San Pablo, San Ramon and Walnut Creek.

Response: *The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.*

Honorable John Laettner, Presiding Judge

June 8, 2011

Page 6

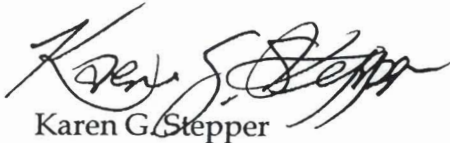
As referenced in the response to Finding #5, changes enacted to federal law in 1990 required that all government employees not in the agency's pension system (typically part-time, temporary or seasonal workers) be included in Social Security or some alternate system. Because the Town does not participate in Social Security and excludes council members from the Town's 401(a) pension plan, council members were placed in the alternate plan along with the Town's part-time and temporary employees. This plan requires the Town to pay an amount equal to 3.75% of salary into a 457 deferred compensation plan. For council members this amount is \$25 per month. Given that this is a defined contribution amount, it cannot create an unfunded liability and does not present the Town with "long term financial implications."

As noted in the response to Recommendation #1, by September 30, 2011, the Town Council budget format will be further itemized to coincide with applicable categories included in the recommendation including deferred compensation payments.

The Town appreciates the time and effort spent by His Honor and the Grand Jury in consideration of these matters. As elected officials representing the Town of Danville, we are in complete agreement with the right of our citizens to be aware of the compensation received by members of the Council, as well as the applicable laws and codes that specify how and to what extent such compensation may be provided. Further, the Town supports full transparency in reporting such information and ensuring that any consideration or change to such compensation occurs in full public view through a process that incorporates the opportunity for public review and input.

Sincerely,

TOWN OF DANVILLE



Karen G. Stepper
Mayor

cc Linda Chew, Foreperson,
Contra Costa County Grand Jury,
725 Court Street
Martinez, CA 94553



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

President – Mark Simon • Vice-President – Kevin Graves • Director – Bill Pease • Director – Chris Steele • Director – Marianne Wiesen

October 24, 2013

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
725 Court Street
Post Office Box 911
Martinez, CA 94553-0091

Re: Civil Grand Jury Report 1104

Dear Foreperson Conlin;

I have received your letter dated October 8, 2013 regarding Grand Jury Report 1104, and the Town of Discovery Bay's July 20, 2011 response to that report. For reference purposes, both your October 8, 2013 letter and the July 20, 2011 Town of Discovery Bay response to the 2011-12 Grand Jury Report 1104 are attached to this reply.

In your letter, you seek information pertaining to the Town's response to Report 1104 and the Grand Jury's Recommendation #1, as follows:

"All cities and special districts should conduct an annual review of compensation provided to their respective elected councils and boards. This review should include such items as salary, meeting fees, health care insurance costs, pensions, deferred compensation, life insurance premiums, cell phone usage, and internet connections. The public review should address whether or not changes in compensation are warranted."

In your October 8, 2013 letter, the Grand Jury notes that the Town of Discovery Bay's response to Recommendation # 1 was as follows:

"Not really."

That was not the Town of Discovery Bay's previous response. As set forth in the Town's July 20, 2011 response letter to the Grand Jury, Town of Discovery Bay fully addressed Recommendation #1 as follows:

"The TODBCSD does not agree with Recommendation #1 and will not implement it due to the fact it is unnecessary."

All of California's Independent Special Districts are subject to California Government Code Sections 61000 et seq., including the Town of Discovery Bay Community Services District. Board member compensation, and the narrow manner in which it is permitted, is specifically acknowledged in the aforementioned Government Code sections.

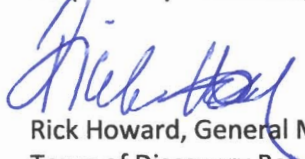
The TODB has an established meeting structure for its official Board Meetings. The TODBCSD Board of Directors meets on the first and third Wednesdays of each month at 7:00 pm. Regularly scheduled Board meetings provide the opportunity to conduct the business of the district and to carry out the duties of their position. Additionally, it is at times necessary to call for a special meeting, to conduct a community workshop, or to attend a meeting that qualifies for a stipend pursuant to California Government Code Sections 61047(a) and 61047(e).

Any interested member of the public is encouraged to review compensation of any TODBCSD Board member for compliance and conformity with California GC§61047."

The Town of Discovery Bay continues to comply with its legal obligations as set forth in the response and reaffirms its position as set forth in its July 20, 2011 letter.

If you have any questions or require additional clarification, please do not hesitate to ask.

Respectfully submitted,



Rick Howard, General Manager
Town of Discovery Bay

cc: Town of Discovery Bay Board of Directors
Dan Schroeder, Neumiller & Beardslee, Attorney

RH/sh
Attachments (2)

Grand Jury

COPY

Contra
Costa
County

TownOfDiscoveryBay CSD
Received

OCT 18 2013

725 Court Street
P.O. Box 911
Martinez, CA 94553-0091

RHK

October 8, 2013

Town of Discovery Bay Community Services District
Mr. Rick Howard, General Manager
1800 Willow Lake Road
Discovery Bay, CA 94505



Dear Mr. Howard:

I am writing to you as the Foreperson of the 2013-2014 Contra Costa Civil Grand Jury. One of our responsibilities is to follow up on previous Grand Jury Reports and promised implementation of Grand Jury Recommendations.

The response by the Town of Discovery Bay Community Services District to one recommendation in the 2011-2012 Grand Jury Report indicated intent to take action, and we are requesting conformation of exactly what action was taken.

In Report Number 1104, entitled "Benefits for Elected Board Members", the Grand Jury made the following Recommendation #1:

All cities and special districts should conduct an annual public review of compensation provided to their respective elected Councils and Boards. This review should include such items as salary, meeting fees, health care insurance costs, pension deferred compensation, life insurance premiums, cell phone usage, and internet connections. The public review should address whether or not changes in compensation are warranted.

Following is the Response received:

Not really.

Please provide us with an update on your response to this Grand Jury Recommendation.

We would appreciate your response by November 19, 2013. You can send your response electronically to: Richard Means at rm.grandjury@gmail.com.

Thank you.

Sincerely,

Stephen D. Conlin

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury

COPY



TOWN OF DISCOVERY BAY CSD

President - Kevin Graves • Vice-President - Brian Dawson • Director - Mark Simon • Director - Chris Steele • Director - Ray Tetreault

July 20, 2011

Linda L. Chew, Foreperson
2010-2011 Contra Costa County Civil Grand Jury
725 Court Street
Post Office Box 911
Martinez, CA 94553-0091

Ref: Contra Costa County Civil Grand Jury Report No. 1104 "Elected Board Membership"

Dear Foreperson Chew;

The Board of Directors for the Town of Discovery Bay Community Services District ("TODBCSD") have received the April 26, 2011 Contra Costa County Civil Grand Jury Report No. 1104 "Elected Board Membership" and has reviewed its findings. The TODBCSD was asked to respond to the findings and subsequent recommendations relative to Findings No. 1 and 3, respectively.

FINDING #1

The TODBCSD agrees with the Contra Costa County Civil Grand Jury Finding #1. The TODBCSD does, as stated in Report No. 1104 *"... provide benefits to their elected leaders in some fashion. These benefits may include salary, meeting fees, health care insurance costs, pension or deferred compensation, life insurance premiums, cell phone usage, and internet connections."*

The TODBCSD fully complies with and adheres to California Government Code Section 61047(a) which states *"The board of directors may provide by ordinance or resolution, that each of its members may receive compensation in an amount not to exceed one hundred dollars (\$100) for each day of service. A member of the board of directors shall not receive compensation for more than six days of service in a month."*

In addition, the TODBCSD provides an amount not to exceed \$527/month for various health care premiums. Pursuant to GC§ 61047(c), the TODBCSD also reimburses travel, mileage and incidental expenses while representing the district on official business.

RECOMMENDATION #1

Recommendation #1 suggests that *"All cities and special districts should conduct an annual review of compensation provided to their respective elected councils and boards"*. The TODBCSD partially agrees with Recommendation #1 in that compensation should be reviewed by its Board of Directors but disagrees that it should be done annually.

All of California's Independent Special Districts are subject to California Government Code Sections 61000 et seq., including the Town of Discovery Bay Community Services District. Board member compensation, and the narrow manner in which it is permitted, is specifically acknowledged in the aforementioned Government Code sections.

The TODBCSD has an established meeting structure for its official Board Meetings. The TODBCSD Board of Directors meets on the first and third Wednesdays of each month at 7:00 pm. Regularly scheduled Board meetings provide the opportunity to conduct the business of the district and to carry out the duties of their position. Additionally, it is at times necessary to call for a special meeting, to conduct a community workshop, or to attend a meeting that qualifies for a stipend pursuant to California Government Code Sections 61047(a) and 61047(e). At virtually each regular meeting the items of compensation for each Board

member are contained in the warrants which are available to the public and reviewed by the Board of Directors before approving the expenditure. Thus, an annual review is unnecessary.

Any interested member of the public can review compensation of any TODBCSD Board member for compliance and conformity with California GC§61047.

FINDING #3

The TODBCSD agrees with the information relative to the Contra Costa County Civil Grand Jury Finding #3 that compensation for elected members of the Town of Discovery Bay CSD Board of Directors exceeds the mean average for all special districts within Contra Costa County.

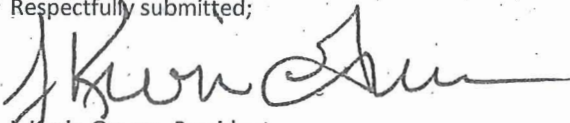
However, and as explained in the response to Finding and Recommendation #1, it should yet again be acknowledged that the district fully complies with CSD Law and its associated California Government Codes 61000 et seq. relative to elected Board member compensation practices. A mean average, while simplistic, does not accurately reflect the amount of compensation a board receives in connection with the work that it does as compared to other districts with similar duties or the policy of the amount of payment a particular district may decide to implement. The TODBCSD is a community services district with a broad range of duties including sewer, water, recreation, and lighting/landscaping for the residents of Discovery Bay. In order to fulfill its obligations as a Board, it meets twice a month and requires its members to participate in committees and attending meetings of other public bodies. While the TODBCSD does not know how many meetings and what responsibilities each of the other special districts have that were used for arriving at the mean average, the TODBCSD believes that the compensation it is providing to Board members is in conformance with law and reasonable.

RECOMMENDATION #3

The TODBCSD will not implement Recommendation #3 by implementing a salary reduction for elected members of the board since it is providing its board member compensation at each regular meeting. Elected board members of Independent Special Districts in California do not receive a salary. Pursuant to GC§ 61047(a), board members are paid a stipend for a "day of service". Elected officials are required by their oath of office to uphold and defend the laws of the state of California and the Constitution of the United States of America. In carrying out their offices, it is necessary to meet and conduct the business of the district, either at a regularly scheduled meeting, a special meeting of the board, a community workshop, or any other type of meeting that warrants their participation. Elected members of boards and city councils work tirelessly and attend a number of public events. Some of these meetings are not compensated, yet as a result of their elected position, officials are expected to attend these events in order to be effective leaders. The types of meetings that a special district board member receives compensation for are clearly defined in California Government Code Section 61047(e) and are narrowly construed. Board members of Independent Special Districts are compensated by the number of meetings they attend, however, those meetings must fall into those specific categories that are defined in GC§ 61047(e).

The Town of Discovery Bay Community Services District Board of Directors is in full compliance and executes their obligations consistent with laws of the state of California.

Respectfully submitted;


J. Kevin Graves, President
Town of Discovery Bay Community Services District

RH/ca

Cc: Board of Directors
Daniel J. Schroeder, Neumiller and Beardslee



OFFICE OF THE CITY MANAGER

Steven Duran

November 19, 2013

Mr. Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
P.O. Box 911
Martinez, CA 94553-0091

RE: Civil Grand Jury Report No. 1110 – "Hercules in Transition"

Dear Mr. Conlin:

The Hercules City Council has reviewed your October 8, 2013 requests for updates to certain responses provided to the Contra Costa County Civil Grand Jury on July 29, 2011 with regard to the above referenced report and provides the following information:

Recommendation No. 3: Upon selection of a new City Manager and City Attorney, the Council should provide a clear definition of responsibilities, performance goals and the reporting relationship between these positions and the Council.

Response submitted July 29, 2011: "The recommendation has not yet been implemented. As the City is currently recruiting for a City Manager and City Attorney, it is anticipated that these items will be discussed and implemented upon retention of these individuals. This will occur no later than November 2011."

Update: In September 2011, the City Council entered into an agreement with Jarvis, Fay, Doport, and Gibson LLP to provide City Attorney services to the City of Hercules. The responsibilities of the City Attorney are outlined in the executed agreement. The City Council conducted performance reviews of the appointed City Attorney in April 2012, November 2012 and June 2013. The City Council is in the process of developing goals for and the Council's expectations of the City Attorney.

Also in September 2011, the City Council executed an agreement for City Manager services. The role, responsibilities and reporting requirements of the City Manager are outlined in the executed agreement and Title 2, Chapter 3, Section 2-3.104 of the Hercules Municipal Code, established by initiative petition and approved by voters in March 1988. The City Council conducted performance reviews of the City Manager in May 2012, November 2012, March 2013

and June 2013. The City Council is in the process of developing goals for and the Council's expectations of the City Manager.

Recommendation No. 4: The Council should require the City Manager to develop a reporting structure that ensures the Council has information and insight regarding City operations.

Response submitted July 29, 2011: “This recommendation requires further analysis. Upon retention of a City Manager, the City Council, in concert with the City Manager, will establish and implement a consistent process for providing information to Council Members and for receiving Council direction. This will occur no later than November 2011.”

Update: The City Manager meets regularly with each Council Member to provide updates and to obtain feedback on current projects and/or issues. The City Manager authors a weekly report to the City Council, Hercules community and City staff, providing updated information on current projects and issues, Planning related projects, classes and services available through Parks and Recreation and upcoming meetings. The weekly report is distributed via email to Council Members and City staff and is also posted to the City website for public access. The City Manager also compiles a monthly report from department heads that tracks projects and programs, including a project or program description, current status, and next steps. The Monthly Report is distributed to the City Council and posted on the City web-site.

In addition, the City Manager and the Director of Finance meet at least quarterly in public with the Citizens Finance Committee, the Measure O Oversight Committee and the Finance Subcommittee of the City Council to review variance reports, perform a mid-year budget review and conduct budget workshops.

Recommendation No. 5: The Council should review existing conflict of interest, contract bidding and nepotism policies and adopt provisions to address any weaknesses.

Response submitted July 29, 2011: “This recommendation requires further analysis. The City Council has referred these items to the Citizens Ad hoc Committee – Legal Issues for review and recommendation. It is anticipated that the review and policy approval shall be completed no later than December 2011.”

Update: In April 2011, the City Council established a Citizen's Ad Hoc Legal Committee to assist in the selection of a new City Attorney and to provide recommendations to the City Council on other local legislative and legal issues as the Council deemed appropriate. With the retention of a City Attorney in September 2011, the Committee, as directed by the City Council, focused their efforts on establishing local conflict of interest, ethics and nepotism regulations to supplement state law.

On June 19, 2012, the Committee presented and the City Council adopted Resolution 12-059A, establishing Nepotism and Cronyism policies which include restricting nepotism and cronyism in the public contracting process.

On May 28, 2013, the Committee presented and the City Council adopted Resolution 13-051, establishing an ethics policy, which applies to all City officials, including elected, appointed officials and appointed members of City commissions, boards and committees, including ad hoc committees, to assure public confidence in the integrity of local government and its effective and fair operation.

On May 28, 2013, the Committee presented and the City Council adopted Resolution 13-052, amending the existing Conflict of Interest Code, which incorporates the Fair Political Practices Commission's Standard Model Conflict Of Interest Code, expanding the list of designated positions required to file an annual Statement of Economic Interests form into specific disclosure categories. The adopted Resolution also requires that the Assistant Finance Director, Finance Director, Municipal Services Director and Utility Manager complete and file annually a Statement of Economic Interest form to the same extent as individuals subject to the provisions of California Government Code Section 87200 et seq., i.e. City Council, City Manager, City Attorney and Planning Commission.

Recommendation No. 6: The Council, in conjunction with the new City Manager, should obtain residents' input when developing policies, goals and priorities for the City.

Response submitted July 29, 2011: “This recommendation has not yet been implemented. Although citizen advisory committees have been established for this purpose, a more aggressive approach will be implemented. It is anticipated that this should occur no later than November 2011.”

***Update:** The City Council and staff recognizes and acknowledges the need and desire for community input into the many aspects of City government. As such the City Council established the Citizens Finance Committee, to advise on matters of policy and public interest related to financial affairs, the Citizens Legal Ad Hoc Committee, and the Council promoted the creation of a Hercules Bayfront Task Force, comprised of community members to provide input into the development of the Hercules Intermodal Transit Center Project.*

In November and December 2011, the newly appointed City Manager hosted well attended Strategic Planning Town Hall Charettes, soliciting and receiving input from the community on topics such as potential cost cutting measures, revenue generation and the city's performance in general. Over the last two years, City staff has hosted several community/town hall meetings regarding the community's desired use of a city owned commercial facility, and soliciting input on such topics as City finances and budgeting, the sale of City owned properties, potential uses for an incomplete construction project, the sale of the City's Municipal Utility and potential retail development. The City Council has also hosted several Special Meetings, inviting the public's comments and input to be included in an updated City Council Rules of Procedure document.

Recommendation No. 7: The Council should establish a policy to assure the financial audit firm is changed at least every five years.

Response submitted July 29, 2011: “This recommendation has not yet been implemented. The preparation of a policy relative to all annual contract renewals and the retention of the financial auditing firm has been assigned to the Citizen’s Finance Ad Hoc Committee. Subsequent policy will be presented to the City Council for approval no later than December 2011.”

Update: In 2012, the City hired a new public accounting firm to audit the City’s financial and provide a Comprehensive Annual Financial Report for fiscal years ending 2011, 2012, and 2013. Staff plans to extend the contract to include 2014 and go through a Request for Qualifications and Proposals process for the fiscal year 2014-2015 audit.

Recommendation No. 8: The Council should fill vacant key City management positions expeditiously.

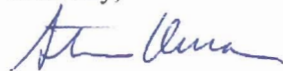
Response submitted July 29, 2011: “This recommendation has not yet been implemented. The City is fully aware of the importance of filling these positions and is moving expeditiously to fill both positions of City Manager and City Attorney. It is anticipated that these positions will be filled no later than October 2011. Upon the City Manager’s retention, it will be his/her responsibility to recruit for and make appointments to the various management positions that remain vacant.”

Update: In order to involve the community in the process of recruitment and retention of a City Attorney, the City Council established the Citizens Legal Ad Hoc Committee. The Committee developed criteria/procedures, solicited and interviewed applicants, submitting their recommendations to the City Council. Upon interview of the top three candidates recommended by the Committee, in September 2011, the City Council entered into an agreement with Jarvis, Fay, Doport, and Gibson LLP to provide City Attorney services to the City of Hercules.

During that same period, the City retained the services of an outside firm to conduct the City Manager recruitment. The recruitment process included the creation of a community panel to conduct an interview of the City Council’s top two candidates. After consideration of the community’s input, the City Council entered into an agreement with Steve Duran in September 2011 to provide City Manager services.

In December 2011, the City Manager promoted the Interim Police Chief to Police Chief and in January 2012 promoted the Interim Parks & Recreation Director to Parks and Recreation Director. In March 2012, the City Manager hired a Director of Finance.

Sincerely,



Steve Duran
City Manager



CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
651 Pine Street, Sixth Floor • Martinez, CA 94553-1229
e-mail: LTexte@lafco.cccounty.us
(925) 335-1094 • (925) 335-1031 FAX

Lou Ann Texeira
Executive Officer

MEMBERS

Donald A. Blubaugh
Public Member
Federal Glover
County Member
Michael R. McGill
Special District Member

Dwight Meadows
Special District Member
Mary N. Piepho
County Member
Rob Schroder
City Member

Don Tatzin
City Member

ALTERNATE MEMBERS

Candace Andersen
County Member
Sharon Burke
Public Member
Tom Butt
City Member
George H. Schmidt
Special District Member

November 13, 2013

Stephen D. Conlin, Foreperson
2013-2014 Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 911
Martinez, CA 94553-0091

Dear Mr. Conlin:

On October 18, 2013, the Contra Costa Local Agency Formation Commission (LAFCO) received a letter from the Grand Jury following up a response LAFCO previously provided to Grand Jury Report No. 1105, which deals with the ethics and transparency issues as noted below.

GRAND JURY RECOMMENDATION

1. All LAFCO members, including the public member, should receive regular training per AB 1234, on the LAFCO Commissioner Handbook with particular focus on LAFCO's mission statement and ethics, as well as the updated Commissioner Representation policy.

LAFCO's Response: *With regard to AB 1234 training (Gov. Code section 53234 et seq.), the recommendation requires further analysis. Contra Costa LAFCO is composed of County, City, Special District and Public members. Currently, the County, City and Special District LAFCO members receive training per AB 1234 through their respective elected offices. LAFCOs are not specifically included in the provisions of AB 1234, and the decision to require the LAFCO public members to receive training is at the discretion of each individual LAFCO. Currently, Contra Costa LAFCO has no policy requiring its public members to receive training per AB 1234. We agree that this training is valuable. The issue will be considered by the Commission at a future LAFCO meeting.*

With regard to training on the Contra Costa LAFCO Commissioner Handbook with particular focus on LAFCO's mission statement, ethics and Commissioner representation, this recommendation has been implemented. Contra Costa LAFCO regularly reviews and updates the Commissioner Handbook. Updates are presented to the Commission at least annually, and sometimes more frequently. The Commissioner Handbook was last updated in July 2010, at which time the policy relating to Commissioner Representation was enhanced. As part of these

regular updates, the Commissioners must review the Handbook. Also, this summer LAFCO will conduct a strategic workshop focusing on LAFCO's unique role/mission and timely issues.

On November 13, the Commission approved an update to the Commission's policies and procedures. Please note that LAFCO Policy 1.4 – **Rules and Procedures** was amended to include the following provision:

I. Ethics Training

The California Government Code (Gov. C.) requires that all legislative body or local agency officials who receive compensation, salary, stipends or reimbursement for expenses, receive ethics training as specified in Gov.C. sections 53234-53235.2. LAFCO is not one of the legislative bodies or local agencies covered by these statutes. So service on LAFCO alone does not trigger the statutory requirement for ethics training. Commissioners who are County Supervisors, City Council members, or Special District board members are required to receive this training in their respective roles as county/city/special district officials. The LAFCO Public Members are required by this policy to receive ethics training. LAFCO staff will advise the Public Members of opportunities to receive this training. Commissioners who receive this training should file their certificate of training with the LAFCO office.

Please contact the LAFCO office if you have any questions or if we can be of further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Federal Glover', with a stylized flourish at the end.

Federal Glover
Chair, Contra Costa LAFCO

c: Richard Means, Contra Costa County Civil Grand Jury



City of Martinez

525 Henrietta Street, Martinez, CA 94553-2394

(925) 372-3505
FAX (925) 229-5012

November 21, 2013

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 911
Martinez, CA 94553-0091

RE: Request dated October 4, 2013

Dear Grand Jury,

Below is the response to your requests for information regarding the follow up on the recommendations contained in Grand Jury Report Number 1104 entitled "Benefits for Elected Board Members" from the 2011-2012 Grand Jury Report.

You have requested follow up on four (4) of the recommendations contained in the Report.

#1: All Cities and special districts should conduct an annual public review of compensation provided to their respective elected Councils and Boards. This review should include such items as salary, meeting fees, health care insurance costs, pension deferred compensation, life insurance premiums, cell phone usage, and internet connections. The public review should address whether or not change in compensation are warranted.

#2: These cities, as part of the annual review in Recommendation 1, should consider whether it would be appropriate to implement reductions of salary and meeting fee expenditures to bring them in line with other cities.

#4: The policy of paying health care insurance costs for Council and Board members should be reviewed to determine whether this practice is appropriate.

#5: The policy of paying pension or deferred compensation for Council and Board members should be reviewed to determine whether this practice is appropriate.

The City is still in the process of implementing the above recommendations. Due to staffing shortages, the City was unable to dedicate the resources necessary to gather and analyze the salary and meeting fee expenditures from surrounding cities to determine the appropriateness of any possible reductions. However, the information will be gathered and analyzed and will form the basis of a recommendation.

It is important to note that the City's budget process is a transparent one. As part of the annual review of the City's Operating Budget, all expenditures are reviewed, including salary and benefit information, in several public meetings. In addition, salary and benefit information for all elected officials are available for viewing on the City's Web site.

Please contact me with any questions or concerns by email at ashear@cityofmartinez.org or by telephone at (925) 372-3577.

Sincerely,

A handwritten signature in blue ink, consisting of a stylized 'A' followed by a long horizontal stroke that curves upwards at the end.

Alan Shear
Acting City Manager



MT. DIABLO UNIFIED SCHOOL DISTRICT

JAMES W. DENT EDUCATION CENTER
1936 Carlotta Drive
Concord, CA 94519-1397
Phone (925) 682-8000 ~ Fax (925) 691-5246

NELLIE MEYER, Ed.D.
Superintendent

BRYAN RICHARDS
Chief Financial Officer

November 15, 2013

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
P O Box 911
Martinez, CA 94553-0091

Dear Mr. Conlin,

The District is in receipt of your letter of October 8, 2013, requesting follow up on the response to report 1102, specifically with regard to the following recommendation:

“When contemplating future taxing measures, the Board shall allow sufficient time for full disclosure to the public of financial information including legal fees, underwriting costs and repayment obligations. The Board should develop a written process addressing the discussion of financial consequences of taxing measures in a public forum and share their proposal with the public in the next 180 days.”

Your quotation of the District’s response was incomplete. The full response was as follows:

“This recommendation requires further analysis. The Board will continue to responsibly exercise its fiduciary responsibilities and make all disclosures required by law. The Board dutifully adheres to many written processes regarding public disclosure, reporting and deliberative processes including, but not limited to, those set forth in the California Education Code, the California Government Code (Brown Act), the California Elections Code, Roberts Rules of Order and Board Policy. Development of additional written processes, specific to discussions of tax measures appears duplicative and extraneous.”

Prior to putting a tax measure or a bond measure on the ballot the board must have a public meeting and a vote authorizing to the measure to go to ballot. All District board meetings adhere to the Brown Act and the public has opportunity to review and comment on any board action at that time.

During the current session, with AB 182 the legislature made further changes to these laws. The new laws govern additional meetings that must be held prior to the sale of certain types of bonds (which would occur after the measure had passed). If the bonds will include compounding interest or terms greater than thirty years, the bond sale will now require two separate hearings. If the board anticipates having such a sale, it will comply with the new requirements.

Under current law, the public will have a minimum of three opportunities to review and comment, once before the measure goes to the ballot, once again before the bonds are sold, and once after the bonds are sold when the final report is issued to the board for acceptance of the sale. In the case of

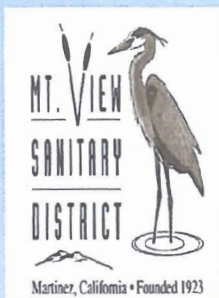
compounding interest bonds or those issued for greater than thirty years, the public will have at least four opportunities to review and comment due to the second meeting prior to sale requirement.

To develop additional processes in an area currently governed by statute which would then need to be modified each time the legislature made adjustments in the governing laws would be duplicative, extraneous and is unnecessary.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Bryan Richards', with a long horizontal flourish extending to the right.

Bryan Richards
Chief Financial Officer



BOARD OF DIRECTORS

Stanley R. Caldwell

David P. Maggi

Gregory T. Pyka

Elmer "Al" J. Schaal

Randell E. Williams

Michael D. Roe

DISTRICT MANAGER

Sheri L. Riddle

BOARD SECRETARY

J. Daniel Adams

LEGAL COUNSEL

Randolph W. Leptien

ENGINEER

November 19, 2013

Attn: Mr. Richard Means
Contra Costa County Civil Grand Jury

Via E-mail to: rm.grandjury@gmail.com

Subject: Update on Mt. View Sanitary District response to Contra Costa Civil Grand Jury Report 1104, Recommendation #4.

Dear Mr. Means:

As requested by Foreperson Stephen D. Conlin in his letter dated October 8, 2013 we are providing an update of the District's response to Recommendation #4 as requested.

Report 1104, Grand Jury Recommendation #4 stated:

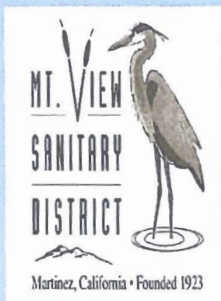
"The policy of paying health care insurance costs for Council and Board member should be reviewed to determine whether this practice is appropriate"

Mt. View Sanitary District's response to recommendation #4 was:

"The recommendation requires further analysis to determine its appropriateness and necessity. The analysis will include an analysis of its relationship to the time Directors devote to District business, the recruitment and retention of qualified directors, whether the benefit is comparable to other Special Districts in the San Francisco Bay Area and any other factors that are identified during the analysis. This analysis will be completed on or before October 21, 2011."

Update to response on Recommendation #4:

During the Board's annual review of Board Member Compensation and Board Member Benefits conducted at the regular Board Meeting held on February 9, 2012, the Board of Directors formed an Ad-Hoc Advisory Committee to further evaluate the policy of paying health care insurance costs for Board Members. The Ad-Hoc Advisory Committee met on March 20, 2012 and again on April 4, 2012. The committee considered how best to determine the "reasonableness" of the health benefit. The committee determined that it could only evaluate reasonableness by comparing the District provided benefit to other agencies that are also providing this benefit to their board members. The committee



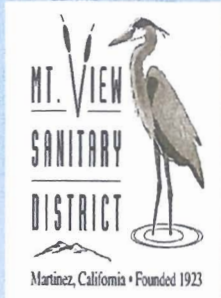
distinguished the health benefits determination of “reasonableness” from providing a rationale for extending the benefit in the first place. The committee determined the following:

- That the benefit was reasonable and in line with the health benefits other water and sanitation districts within Contra Costa County provided their board members.
- That the committee believed, due to equity issues among board members, that a new Health Flexible Spending arrangement should be established for Board Members. The committee recommended that the full Board provide Direction to staff to investigate and report back to the board on the costs and feasibility of such a program
- The committee directed staff to prepare an agenda item for the April 12, 2012 meeting that would allow the Board to express it’s intent in providing the health benefit to board members in the form of a motion, resolution or revision to policy B-40
- The committee asked that staff work with CalPERS to document in policy or contract terms that the intent of the Mt View Sanitary District Board was that Board Member Health Benefits are provided to active serving Board Members only and that no vested right accrues.

At its regularly scheduled meeting of April 12, 2012, the Mt. View Sanitary District Board of Directors considered the committee’s determinations and adopted Resolution 1304-2012 (enclosed) stating the Board’s intent underlying providing health care benefits to active Board Members as follows:

RESOLVED, The Board of Directors hereby declares that it has made available and continues to make available the healthcare benefit as set forth in Board Policy B-40 because the Board believes that all Board members must have health care resources available to them during their service in order to protect their health, thus enabling them to serve the District free from any impairment related to health.

The Board also directed staff to cease any research or effort in developing a Health Flexible Spending arrangement for District Board Members. District management subsequently determined, after consulting with CalPERS, that existing Board policy was sufficient to limit the provision of Board Member Health Benefits to active serving Board Members and that no vested right accrues.



Mr. Richard Means
Contra Costa County Civil Grand Jury
Grand Jury Report 1104, Recommendation #4
November 19, 2013
Page 3 of 3

Mt. View Sanitary District trusts that this update will provide the 2013-2014 Civil Grand Jury with the information requested. If you have additional questions, please contact Neal Allen, Assistant District Manager at (925) 228-5635 or via e-mail at nallen@mvsd.org.

Sincerely,

Neal B. Allen
Assistant District Manager

Enclosure: Resolution 1304-2012

RESOLUTION NO. 1304-2012

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MT. VIEW SANITARY DISTRICT DECLARING THE INTENT OF THE BOARD OF DIRECTORS UNDERLYING THE PROVISION OF HEALTHCARE BENEFITS FOR ACTIVE BOARD MEMBERS

RECITALS

WHEREAS, In 2005 the Board of Directors ("Board") of the Mt. View Sanitary District ("District") adopted Resolution 1099-2005 first making available certain healthcare benefits to Board Members at the District's expense; and

WHEREAS, in July of 2010 the Board adopted its Policies and Procedures Manual for the Board of Directors; and

WHEREAS, Policy B-40 of the Policies and Procedures Manual for the Board of Directors provides for healthcare benefits for Board Members and states that The PERS Health Benefits Plans insurance coverage shall be available only to "active" Board Members.

WHEREAS, The Mt. View Sanitary District Board of Directors believes that it is important that all Board members have health care resources available to them during their service in order to protect their health, thus enabling them to serve the District free from any impairment related to health; and

WHEREAS, The Mt. View Sanitary District Board of Directors believes that the provision of such a benefit is an appropriate expenditure of public funds.

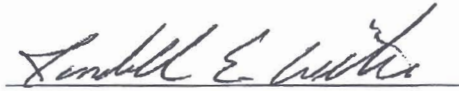
NOW, THEREFORE IT IS HEREBY RESOLVED, by the Board of Directors of the Mt. View Sanitary District as follows:

RESOLVED, The facts set forth in the Recitals herein are true and correct and the public interest is hereby advanced by the enactment of this resolution; and

RESOLVED, The Board of Directors hereby declares that it has made available and continues to make available the healthcare benefit as set forth in Board Policy B-40 because the Board believes that all Board members must have health care resources available to them during their service in order to protect their health, thus enabling them to serve the District free from any impairment related to health.

The foregoing resolution was regularly and duly adopted at a regular meeting of the Board of Directors of MT. VIEW SANITARY DISTRICT, held on the 12th day of April, 2012 by the following vote:

AYES:	Directors Caldwell, Pyka, and Schaal, Vice President Maggi, and President Williams
NOES:	None
ABSENT:	None
ABSTAIN:	None



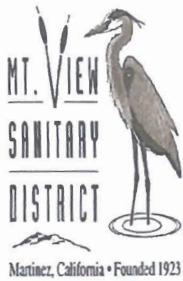
Randell E. Williams, Board President

I hereby certify that the foregoing is a true and correct copy of a resolution regularly passed and adopted by the Board of Directors of MT. VIEW SANITARY DISTRICT on the date aforesaid.

Dated this 12th day of April, 2012.



Sheri L. Riddle, Secretary



BOARD OF DIRECTORS

Stanley R. Caldwell

David P. Maggi

Gregory T. Pyka

Elmer "Al" J. Schaal

Randell E. Williams

Michael D. Roe

DISTRICT MANAGER

Sheri L. Riddle

BOARD SECRETARY

J. Daniel Adams

LEGAL COUNSEL

Randolph W. Leptien

ENGINEER

November 19, 2013

Attn: Mr. Richard Means
Contra Costa County Civil Grand Jury

Via E-mail to: rm.grandjury@gmail.com

Subject: Update on Mt. View Sanitary District response to Contra Costa Civil
Grand Jury Report 1104, Recommendation #3

Dear Mr. Means:

As requested by Foreperson Stephen D. Conlin in his letter dated October 8, 2013 we are providing an update of the District's response to Recommendation #3 as requested.

Report 1104, Grand Jury Recommendation #3 stated:

"These special districts, as part of the annual review in Recommendation 1, should consider whether it would be appropriate to implement a reduction of salary and meeting fee expenditures to bring them in line with other special districts."

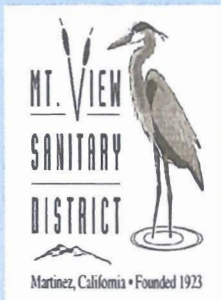
Mt. View Sanitary District's response to recommendation #3 was:

"The recommendation has not yet been implemented but will be implemented by an amendment to the Board Policies and Procedure on or before August 18, 2011"

Update to response on Recommendation #3:

On August 18, 2011, the District Board of Directors amended Board Policy B-30 Board Member Compensation and Board Policy B-40 Board Member Benefits, adding Sections B-30-40 Annual Review, and B-40-50 Annual Review respectively as follows:

B-30-40 Annual Review. An annual public review of the Board Member compensation shall be completed annually, normally at the February regular Board Meeting. The review shall include all aspects of compensation and benefits including but not limited to compensation for attendance at meetings, any health care insurance costs, pension/deferred compensation, and all expenses reimbursements ("compensation/reimbursement"). This review will include consideration of the reasonableness of the compensation/reimbursement, whether they are in line with those of other Special Districts and whether any changes should be made.



B-40-50 Annual Review. An annual public review of the Board Member compensation shall be completed annually, normally at the February regular Board Meeting. The review shall include all aspects of compensation and benefits including but not limited to compensation for attendance at meetings, any health care insurance costs, pension/deferred compensation, and all expenses reimbursements ("compensation/reimbursement"). This review will include consideration of the reasonableness of the compensation/reimbursement, whether they are in line with those of other Special Districts and whether any changes should be made.

Subsequent to this amendment, the Board conducted the required public review at regular Board meetings held on February 9, 2012 and February 14, 2013 and found, on both occasions that Board member compensation was reasonable, in line with that of other Special Districts, and did not require any changes. Copies of Board Policy B-30 - Board Member Compensation and Board Policy B-40 - Board Member Benefits are included for your information.

Mt. View Sanitary District trusts that this update will provide the 2013-2014 Civil Grand Jury with the information requested. If you have additional questions, please contact Neal Allen, Assistant District Manager at (925) 228-5635 or via e-mail at nallen@mvsd.org.

Sincerely,

Neal B. Allen
Assistant District Manager

Enclosures: Policies B-30 and B-40

Board Member Compensation

B-30

PURPOSE: This policy establishes compensation for Board Members to attend meetings.

B-30-10 Limit on Meetings. Directors of Mt. View Sanitary District shall be compensated Two Hundred Five Dollars, Seven Cents (\$205.07) for each day's attendance at meetings of the Board, a Committee of the Board or for each day's service rendered as a Director by request of the Board ("daily compensation"), not exceeding a total of six (6) days in any calendar month. This amount shall be considered for adjustment in February of each following year and may, by policy, be adjusted based upon the change in Consumer Price Index (CPI) as this index is established by the United States Department of Industrial Relations, all urban index for the San Francisco, Oakland and San Jose Region. Any approved change in Board Member Compensation shall be effective the following July 1. Unless otherwise determined by the Board, adjustments for inflation to be considered shall be proportionate to the average annual increase in the CPI for the previous calendar year (represented by the change from December to December).

To qualify for daily compensation for meetings of other organizations related to District business, Board approval is required per District Code Sections 2.9 and 2.10 subject to the following Policy Statement.

Policy Statement

1. In addition to Mt. View Sanitary District Board of Directors Meetings and Committee Meetings, the District has concluded that attendance at California Association of Sanitation Agency (CASA) events and Contra Costa Local Agency Formation Commission (LAFCO) meetings are generally beneficial to the District and that these events are deemed to be the official business of the District.
2. The Mt. View Sanitary District (MVSD) holds itself exempt from providing compensation for its Directors who participate on "Other" Boards of Directors which do not provide their directors compensation for their services. If an MVSD Board Member chooses to participate on another Board, it will be at the discretion of the MVSD Board whether participation at these meetings are a benefit to the District by virtue of the participation of the MVSD Director. MVSD will review such participation annually and determine if there is a significant benefit to MVSD, and if so, declare participation the official business of the MVSD.
3. Attendance at all other seminars, meetings or events (hereinafter "events") will be evaluated on a case by case basis by the District Board of Directors to determine if participation is a significant benefit to the District and therefore the District's official business.
4. It is the further policy of the District that before requesting authorization to attend (or in the case of LAFCO Meeting before attending) an event where compensation and/or reimbursement is requested, the Director shall assess the benefit to the District and shall only seek compensation and/or reimbursement if he/she in good faith concludes attendance is a significant benefit to MVSD as to qualify as the District's official business

In addition to

District Board members requesting attendance at meetings, including meetings of organizations related to District business, training, conference and/or seminars, shall submit their request to the entire Board at least five business days prior to the regular monthly Board meeting. In adopting this policy, it is the intent of the Board to fulfill the requirements of Government Code Section 53232.1 (b)¹)

B-30-20 Reimbursement for Expenses. Board Members shall be compensated for all reasonable and legitimate expenses incurred in attending meetings or taking trips on behalf of the District that have been authorized by the Board. Expense reports shall be submitted within 30 days of attendance at the meeting. Any disputes shall be settled by majority vote of the Board. (Ref.-Ordinance 2106)

B-30-30 Prevailing District Mileage Rate. Reimbursement for travel by private car shall be at the prevailing IRS mileage rate.

B-30-40 Annual Review. . An annual public review of the Board Member compensation shall be completed annually, normally at the February regular Board Meeting. The review shall include all aspects of compensation and benefits including but not limited to compensation for attendance at meetings, any health care insurance costs, pension/deferred compensation, and all expenses reimbursements ("compensation/reimbursement"). This review will include consideration of the reasonableness of the compensation/reimbursement, whether they are in line with those of other Special Districts and whether any changes should be made.

*

¹ California Government Code Section 53232.1 (b) provides "A local agency may pay compensation for attendance at occurrences (other than meetings) only if the governing body has adopted, in a public meeting, a written policy specifying other types of occasions that constitute the performance of official duties for which a member of the legislative body may receive payment."

Board Member Benefits B-40

PURPOSE: This policy establishes the rules for benefits for Board Members.

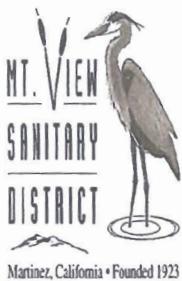
B-40-10 Insurance Choices. Each Board Member may receive District Health Care available through PERS only with participation in the AIG/Valic 457(b) deferred compensation plan.

B-40-20 Limits on Cost. Costs for Health insurances shall be limited to \$1281.21/month per District Resolution 1099-2005.

B-40-30 Eligibility. The PERS Health Benefits Plans insurance coverage shall be available only to "active" Board Members.

B-40-40 Comparable Benefits. The Board has deemed that the benefits provided to Board Members are less than the benefits provided to District employees. The Board annually determines that the benefits are comparable to benefits received by other sanitary district directors in Contra Costa County and are in accord with the comparative responsibilities and commitment that must be made by Board Members.

B-40-50 Annual Review. . An annual public review of the Board Member compensation shall be completed annually, normally at the February regular Board Meeting. The review shall include all aspects of compensation and benefits including but not limited to compensation for attendance at meetings, any health care insurance costs, pension/deferred compensation, and all expenses reimbursements ("compensation/reimbursement"). This review will include consideration of the reasonableness of the compensation/reimbursement, whether they are in line with those of other Special Districts and whether any changes should be made.



BOARD OF DIRECTORS

Stanley R. Caldwell

David P. Maggi

Gregory T. Pyka

Elmer "Al" J. Schaal

Randell E. Williams

Michael D. Roe

DISTRICT MANAGER

Sheri L. Riddle

BOARD SECRETARY

J. Daniel Adams

LEGAL COUNSEL

Randolph W. Leptien

ENGINEER

November 19, 2013

Attn: Mr. Richard Means
Contra Costa County Civil Grand Jury

Via E-mail to: rm.grandjury@gmail.com

Subject: Update on Mt. View Sanitary District response to Contra Costa Civil
Grand Jury Report 1104, Recommendation #1.

Dear Mr. Means:

As requested by Foreperson Stephen D. Conlin in his letter dated October 8, 2013 we are providing an update of the District's response to Recommendation #1 as requested.

Report 1104, Grand Jury Recommendation #1 stated:

"All cities and special districts should conduct an annual public review of compensation provided to their respective elected Councils and Boards. This review should include such items as salary, meeting fees, health care insurance costs, pension, deferred compensation, life insurance premiums, cell phone usage, and internet connections. The public review should address whether or not changes in compensation are warranted".

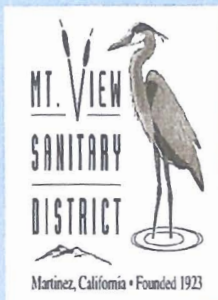
Mt. View Sanitary District's response to Recommendation #1 was:

"The recommendation has not yet been implemented but will be implemented by an amendment to the Board Policies and Procedure on or before August 18, 2011"

Update to response on Recommendation #1:

On August 18, 2011, the District Board of Directors amended Board Policy B-30 Board Member Compensation and Board Policy B-40 Board Member Benefits, adding Sections B-30-40 Annual Review, and B-40-50 Annual Review respectively as follows:

B-30-40 Annual Review. An annual public review of the Board Member compensation shall be completed annually, normally at the February regular Board Meeting. The review shall include all aspects of compensation and benefits including but not limited to compensation for attendance at meetings, any health care insurance costs, pension/deferred compensation, and all expenses reimbursements



("compensation/reimbursement"). This review will include consideration of the reasonableness of the compensation/reimbursement, whether they are in line with those of other Special Districts and whether any changes should be made.

B-40-50 Annual Review. An annual public review of the Board Member compensation shall be completed annually, normally at the February regular Board Meeting. The review shall include all aspects of compensation and benefits including but not limited to compensation for attendance at meetings, any health care insurance costs, pension/deferred compensation, and all expenses reimbursements ("compensation/reimbursement"). This review will include consideration of the reasonableness of the compensation/reimbursement, whether they are in line with those of other Special Districts and whether any changes should be made.

Subsequent to this amendment, the Board conducted the required public review at regular Board meetings held on February 9, 2012 and February 14, 2013 and found, on both occasions that Board member compensation was reasonable, in line with that of other Special Districts, and did not require any changes. Copies of Board Policy B-30 - Board Member Compensation and Board Policy B-40 - Board Member Benefits are included for your information.

Mt. View Sanitary District trusts that this update will provide the 2013-2014 Civil Grand Jury with the information requested. If you have additional questions, please contact Neal Allen, Assistant District Manager at (925) 228-5635 or via e-mail at nallen@mvsd.org.

Sincerely,

Neal B. Allen
Assistant District Manager

Enclosures: Policies B-30 and B-40

Board Member Compensation

B-30

PURPOSE: This policy establishes compensation for Board Members to attend meetings.

B-30-10 Limit on Meetings. Directors of Mt. View Sanitary District shall be compensated Two Hundred Five Dollars, Seven Cents (\$205.07) for each day's attendance at meetings of the Board, a Committee of the Board or for each day's service rendered as a Director by request of the Board ("daily compensation"), not exceeding a total of six (6) days in any calendar month. This amount shall be considered for adjustment in February of each following year and may, by policy, be adjusted based upon the change in Consumer Price Index (CPI) as this index is established by the United States Department of Industrial Relations, all urban index for the San Francisco, Oakland and San Jose Region. Any approved change in Board Member Compensation shall be effective the following July 1. Unless otherwise determined by the Board, adjustments for inflation to be considered shall be proportionate to the average annual increase in the CPI for the previous calendar year (represented by the change from December to December).

To qualify for daily compensation for meetings of other organizations related to District business, Board approval is required per District Code Sections 2.9 and 2.10 subject to the following Policy Statement.

Policy Statement

1. In addition to Mt. View Sanitary District Board of Directors Meetings and Committee Meetings, the District has concluded that attendance at California Association of Sanitation Agency (CASA) events and Contra Costa Local Agency Formation Commission (LAFCO) meetings are generally beneficial to the District and that these events are deemed to be the official business of the District.

2. The Mt. View Sanitary District (MVSD) holds itself exempt from providing compensation for its Directors who participate on "Other" Boards of Directors which do not provide their directors compensation for their services. If an MVSD Board Member chooses to participate on another Board, it will be at the discretion of the MVSD Board whether participation at these meetings are a benefit to the District by virtue of the participation of the MVSD Director. MVSD will review such participation annually and determine if there is a significant benefit to MVSD, and if so, declare participation the official business of the MVSD.

3. Attendance at all other seminars, meetings or events (hereinafter "events") will be evaluated on a case by case basis by the District Board of Directors to determine if participation is a significant benefit to the District and therefore the District's official business.

4. It is the further policy of the District that before requesting authorization to attend (or in the case of LAFCO Meeting before attending) an event where compensation and/or reimbursement is requested, the Director shall assess the benefit to the District and shall only seek compensation and/or reimbursement if he/she in good faith concludes attendance is a significant benefit to MVSD as to qualify as the District's official business

In addition to

District Board members requesting attendance at meetings, including meetings of organizations related to District business, training, conference and/or seminars, shall submit their request to the entire Board at least five business days prior to the regular monthly Board meeting. In adopting this policy, it is the intent of the Board to fulfill the requirements of Government Code Section 53232.1 (b)¹)

B-30-20 Reimbursement for Expenses. Board Members shall be compensated for all reasonable and legitimate expenses incurred in attending meetings or taking trips on behalf of the District that have been authorized by the Board. Expense reports shall be submitted within 30 days of attendance at the meeting. Any disputes shall be settled by majority vote of the Board. (Ref.-Ordinance 2106)

B-30-30 Prevailing District Mileage Rate. Reimbursement for travel by private car shall be at the prevailing IRS mileage rate.

B-30-40 Annual Review. . An annual public review of the Board Member compensation shall be completed annually, normally at the February regular Board Meeting. The review shall include all aspects of compensation and benefits including but not limited to compensation for attendance at meetings, any health care insurance costs, pension/deferred compensation, and all expenses reimbursements ("compensation/reimbursement"). This review will include consideration of the reasonableness of the compensation/reimbursement, whether they are in line with those of other Special Districts and whether any changes should be made.

*

¹ California Government Code Section 53232.1 (b) provides "A local agency may pay compensation for attendance at occurrences (other than meetings) only if the governing body has adopted, in a public meeting, a written policy specifying other types of occasions that constitute the performance of official duties for which a member of the legislative body may receive payment."

Board Member Benefits

B-40

PURPOSE: This policy establishes the rules for benefits for Board Members.

B-40-10 Insurance Choices. Each Board Member may receive District Health Care available through PERS only with participation in the AIG/Valic 457(b) deferred compensation plan.

B-40-20 Limits on Cost. Costs for Health insurances shall be limited to \$1281.21/month per District Resolution 1099-2005.

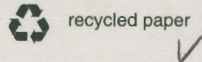
B-40-30 Eligibility. The PERS Health Benefits Plans insurance coverage shall be available only to "active" Board Members.

B-40-40 Comparable Benefits. The Board has deemed that the benefits provided to Board Members are less than the benefits provided to District employees. The Board annually determines that the benefits are comparable to benefits received by other sanitary district directors in Contra Costa County and are in accord with the comparative responsibilities and commitment that must be made by Board Members.

B-40-50 Annual Review. . An annual public review of the Board Member compensation shall be completed annually, normally at the February regular Board Meeting. The review shall include all aspects of compensation and benefits including but not limited to compensation for attendance at meetings, any health care insurance costs, pension/deferred compensation, and all expenses reimbursements ("compensation/reimbursement"). This review will include consideration of the reasonableness of the compensation/reimbursement, whether they are in line with those of other Special Districts and whether any changes should be made.



City of Pleasant Hill
OFFICE OF THE CITY MANAGER



JUNE W. CATALANO
City Manager

November 5, 2013

John T. Laettner, Judge of the Superior Court
Stephen D. Conlin, 2013-2014 Civil Grand Jury Foreperson
A. F. Bray Courthouse
1020 Ward Street
Martinez, CA 94553

RE: Status Update to Civil Grand Jury Regarding City of Pleasant Hill's Response to Report
No. 1104

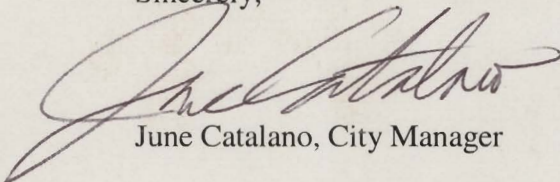
Dear Judge Laettner and Foreperson Conlin:

The Contra Costa Civil Grand Jury (Grand Jury) issued a report in 2010-2011 entitled "Elected Board Membership – Public Service or Public Employment?" (report number 1104). The report contained three findings and three recommendations relevant to the City of Pleasant Hill (City) regarding compensation provided to city elected governing board members. In response to the Grand Jury's report, the City indicated that it agreed with the findings and will implement the recommendations.

The Grand Jury recently requested from the City a status update regarding the implementation of recommendations in report number 1104. When the report was issued, the City specifically responded that it will implement the three relevant recommendations, each regarding monitoring the appropriateness of compensation and benefits to elected officials, through the City's biennial budget adoption process. The City has created a specific department budget for the City Council covering salaries, benefits, and other expenditures, which it uses to budget resources and monitor expenditures. The City will analyze the appropriateness of proposed expenditure for the City Council, as well as for all other departments, as part of the upcoming fiscal years 2014-2016 budget development process and as part of future budget development processes.

Please feel free to contact me for additional information regarding the City's implementation of the recommendations at 925-671-5204.

Sincerely,



June Catalano, City Manager

Cc: Mayor Michael Harris
Vice Mayor Jack Weir
Councilmember Ken Carlson
Councilmember David Durant
Councilmember Tim Flaherty

Grand Jury

Contra Costa County

725 Court Street
P.O. Box 911
Martinez, CA 94553-0091

October 8, 2013

City of Pleasant Hill
Ms. June Catalano, City Manager
100 Gregory Lane
Pleasant Hill, CA 94523



RECEIVED
OCT 18 2013
CITY MANAGER'S OFFICE
CITY OF PLEASANT HILL

Dear Ms. Catalano:

I am writing to you as the Foreperson of the 2013-2014 Contra Costa Civil Grand Jury. One of our responsibilities is to follow up on previous Grand Jury Reports and promised implementation of Grand Jury Recommendations.

The response by the City of Pleasant Hill to one recommendation in the 2011-2012 Grand Jury Report indicated intent to take action, and we are requesting conformation of exactly what action was taken.

In Report Number 1104, entitled "Benefits for Elected Board Members", the Grand Jury made the following Recommendation #1:

All cities and special districts should conduct an annual public review of compensation provided to their respective elected Councils and Boards. This review should include such items as salary, meeting fees, health care insurance costs, pension deferred compensation, life insurance premiums, cell phone usage, and internet connections. The public review should address whether or not changes in compensation are warranted.

Following is the Response received:

Will implement.

Please provide us with an update on your response to this Grand Jury Recommendation.

We would appreciate your response by November 19, 2013. You can send your response electronically to: Richard Means at rm.grandjury@gmail.com.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Stephen D. Conlin".

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury

Grand Jury

Contra Costa County

725 Court Street
P.O. Box 911
Martinez, CA 94553-0091

October 8, 2013

City of Pleasant Hill
Ms. June Catalano, City Manager
100 Gregory Lane
Pleasant Hill, CA 94523



RECEIVED
OCT 18 2013
CITY MANAGER'S OFFICE
CITY OF PLEASANT HILL

Dear Ms. Catalano:

I am writing to you as the Foreperson of the 2013-2014 Contra Costa Civil Grand Jury. One of our responsibilities is to follow up on previous Grand Jury Reports and promised implementation of Grand Jury Recommendations.

The response by the City of Pleasant Hill to one recommendation in the 2011-2012 Grand Jury Report indicated intent to take action, and we are requesting conformation of exactly what action was taken.

In Report Number 1104, entitled "Benefits for Elected Board Members", the Grand Jury made the following Recommendation:

Recommendation # 4: The policy of paying health care insurance costs for Council and Board members should be reviewed to determine whether this practice is appropriate.

Following is the Response received:

Will implement.

Please provide us with an update on your response to this Grand Jury Recommendation.

We would appreciate your response by November 19, 2013. You can send your response electronically to: Richard Means at rm.grandjury@gmail.com.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Stephen D. Conlin".

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury

Grand Jury

Contra Costa County

725 Court Street
P.O. Box 911
Martinez, CA 94553-0091

October 8, 2013

City of Pleasant Hill
Ms. June Catalano, City Manager
100 Gregory Lane
Pleasant Hill, CA 94523



RECEIVED
OCT 18 2013
CITY MANAGER'S OFFICE
CITY OF PLEASANT HILL

Dear Ms. Catalano:

I am writing to you as the Foreperson of the 2013-2014 Contra Costa Civil Grand Jury. One of our responsibilities is to follow up on previous Grand Jury Reports and promised implementation of Grand Jury Recommendations.

The response by the City of Pleasant Hill to one recommendation in the 2011-2012 Grand Jury Report indicated intent to take action, and we are requesting conformation of exactly what action was taken.

In Report Number 1104, entitled "Benefits for Elected Board Members", the Grand Jury made the following Recommendation:

Recommendation # 5: The policy of paying pension or deferred compensation for Council and Board members should be reviewed to determine whether this practice is appropriate.

Following is the Response received:

Will implement.

Please provide us with an update on your response to this Grand Jury Recommendation.

We would appreciate your response by November 19, 2013. You can send your response electronically to: Richard Means at rm.grandjury@gmail.com.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Stephen D. Conlin".

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury



November 19, 2013

E-TRANSMITTAL/REGULAR MAIL

Mr. Stephen D. Conlin
Foreperson
Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 911
Martinez, CA 94553-0091

Re: Update to Grand Jury recommendations made in Report Number 1104, entitled "Benefits for Elected Board Members"

Dear Mr. Conlin:

This letter is in response to your letters dated October 8, 2013 in which you ask for an update to four of the recommendations made in the 2011-2012 Grand Jury Report Number 1104, entitled "Benefits for Elected Board Members."

The City of San Pablo is still in the process of implementing the four (4) recommendations during FY 2013-14, and plans to have this process complete prior to June 30, 2014. Additionally, the City plans to provide a comprehensive update regarding our progress after the first of the new year. The four (4) recommendations will be presented to the San Pablo City Council for policy discussion and implementation, as follows:

1. All cities and special districts should conduct an annual public review of compensation provided to their respective elected Councils and Boards. This review should include such items as salary, meeting fees, health care insurance costs, pension, deferred compensation, life insurance premiums, cell phone usage and internet connections. The public review should address whether or not changes in compensation are warranted.
2. These cities, as part of the annual review in Recommendation 1, should consider whether it would be appropriate to implement reductions of salary and meeting fee expenditures to bring them in line with other cities.

Mr. Stephen D. Conlin, Foreperson

Contra Costa Grand Jury

Update to Grand Jury recommendations made in Report Number 1104, entitled "Benefits for Elected Board Members"

November 19, 2013

Page 2

4. The policy of health care insurance costs for Council and Board members should be reviewed to determine whether this practice is appropriate.
5. The policy of paying pension or deferred compensation for Council and Board members should be reviewed to determine whether this practice is appropriate.

Again, the City of San Pablo intends to address and implement these four (4) recommendations by the Contra Costa Grand Jury Report during the FY 2013-14 period prior to June 30, 2014.

The City of San Pablo appreciates the time and effort spent by the Contra Costa Grand Jury on this matter and looks forward to full resolution of this matter in 2014.

Thank you for the opportunity to respond to your inquiry.

Sincerely:



Matt Rodriguez,
City Manager



Community Partner for Our Bay, Our Environment

October 24, 2013

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 911
Martinez, CA 94553

RE: West County Wastewater District Response to Report 1104

Dear Mr. Conlin:

Thank you for your letter dated October 8, 2013 in which you requested an update of the West County Wastewater District's response to Recommendation #4 in the Contra Costa County Grand Jury's Report 1104 dated April 26, 2011. Recommendation #4 was "The policy of paying health care costs for Council and Board members should be reviewed to determine whether this practice is appropriate."

On July 9, 2011, the District provided the following response to Recommendation #4: "This policy is being implemented. Presently, three of the five Directors are participating in the health care program. The Board of Directors are discussing whether to reduce the benefits of the participating Directors to correspond with reductions upon similar benefits available to District management and staff."

On January 4, 2013, the Contra Costa County Chapter of the California Grand Juror's Association requested an identical update. On January 11, 2013, the District responded to the Grand Juror's Association. Copies of the request and the District's response are attached along with a copy of District Resolution 11-063 which implemented the \$1,500 monthly cap on health insurance contributions for District Directors.

If you need additional information, please do not hesitate to contact me.

Sincerely,



E.J. Shalaby
General Manager

BOARD MEMBERS

Leonard L. Battaglia
Michael T. Caine
Alfred M. Granzella
George H. Schmidt
Paul C. Soltow, Jr.

BOARD ATTORNEY

Alfred A. Cabral

GENERAL MANAGER

E. J. Shalaby

Grand Jury

Contra Costa County

725 Court Street
P.O. Box 911
Martinez, CA 94553-0091

October 8, 2013

West County Wastewater District
Mr. E.J. Shalaby, General Manager
2910 Hilltop Drive
Richmond, CA 94806



Dear Mr. Shalaby:

I am writing to you as the Foreperson of the 2013-2014 Contra Costa Civil Grand Jury. One of our responsibilities is to follow up on previous Grand Jury Reports and promised implementation of Grand Jury Recommendations.

The response by the West County Wastewater District to one recommendation in the 2011-2012 Grand Jury Report indicated intent to take action, and we are requesting conformation of exactly what action was taken.

In Report Number 1104, entitled "Benefits for Elected Board Members", the Grand Jury made the following Recommendation:

Recommendation # 4: The policy of paying health care insurance costs for Council and Board members should be reviewed to determine whether this practice is appropriate.

Following is the Response received:

Will implement.

Please provide us with an update on your response to this Grand Jury Recommendation.

We would appreciate your response by November 19, 2013. You can send your response electronically to: Richard Means at rm.grandjury@gmail.com.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Stephen D. Conlin".

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury

RECEIVED:

OCT 18 2013

WCWD



WEST COUNTY WASTEWATER DISTRICT

A Public Agency

2910 Hilltop Drive • Richmond, CA 94806-1974 • Telephone (510) 222-6700 • Fax (510) 222-3277 • www.wcwd.org

January 11, 2013

Richard Knowles
California Grand Juror's Association
Contra Costa County Chapter

via electronic submission ccgja@gmail.com

RE: West County Wastewater District Response to Report 1104

Dear Mr. Knowles:

Thank you for your letter dated January 4, 2013 in which you requested an update of the West County Wastewater District's response to Recommendation #4 in the Contra Costa County Grand Jury's Report 1104 dated April 26, 2011. Recommendation #4 was "The policy of paying health care costs for Council and Board members should be reviewed to determine whether this practice is appropriate."

On July 9, 2011, the District provided the following response to Recommendation #4: "This policy is being implemented. Presently, three of the five Directors are participating in the health care program. The Board of Directors is discussing whether to reduce the benefits of the participating Directors to correspond with reductions upon similar benefits available to District management and staff." This will update that response.

The Board of Directors concluded its discussions regarding the three Directors participating in the health care program and determined that the District would cap its contribution to the health care program premiums at \$1500.00 per month per Director. This is exactly the same cap that has been placed upon similar benefits available to District management and staff.

If you need additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to be "E.J. Shalaby", written over a circular stamp or seal.

E.J. Shalaby
General Manager

EJS:ilm-b

RESOLUTION OF THE BOARD OF DIRECTORS OF WEST COUNTY
WASTEWATER DISTRICT, COUNTY OF CONTRA COSTA, CALIFORNIA

RESOLUTION NO. 11-063

FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE
PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT
ONLY WITH RESPECT TO THE BOARD OF DIRECTORS' UNIT

WHEREAS, Government Code Section 22892(a) provides that a local agency contracting under the Public Employees' Medical and Hospital Care Act (Act) shall fix the amount of the employer's contribution at an amount not less than the amount required under Section 22892(b)(1) of the Act; and

WHEREAS, West County Wastewater District, hereinafter referred to as Public Agency, is local agency contracting under the Act for participation by members of the Board of Directors' Unit (unit code 002).

NOW, THEREFORE, BE IT RESOLVED that the employer's contribution for each employee or annuitant shall be the amount necessary to pay the full cost of his/her enrollment, including the enrollment of his/her family members in a health benefits plan up to a maximum of \$1,500.00 per month effective January 1, 2012; plus administrative fees and Contingency Reserve Fund Assessments.

BE IT FURTHER RESOLVED that West County Wastewater District has fully complied with any and all applicable provisions of Government Code Section 7507 in electing the benefits set forth above.

*

*

*

I HEREBY CERTIFY that the foregoing resolution was duly and regularly adopted by the Board of Directors of the West County Wastewater District, Contra Costa County, California, at a regular meeting thereof held on the 18th day of October, 2011, by the following vote:

AYES: Schmidt, Battaglia, Soltow, Caine
NOES: None
ABSENT: Granzella



Secretary of the Board of Directors
West County Wastewater District
Contra Costa County, California



CONTRA COSTA COUNTY CHAPTER

CALIFORNIA GRAND JUROR'S ASSOCIATION

January 4, 2013

General Manager
West County Wastewater District
2910 Hilltop Drive
Richmond, CA 94806

RECEIVED:

JAN - 8 2013

WCWD

Dear General Manager:

I am writing to you as a Contra Costa County resident and member of the Contra Costa County Grand Jury Association (CCGJA).

CCGJA is composed of previous members of Contra Costa Civil Grand Juries. Our goals are to support the grand jury system and promote government accountability. One of our tasks is to follow up on prior Grand Jury recommendations.

West County Wastewater District's response to one recommendation in the 2010-2011 Grand Jury Report indicated intent to take action, but succeeding grand juries have not received any indication that action was taken.

In Report 1104, the Grand Jury recommendation #4 was that:

"The policy of paying health care insurance costs for Council and Board members should be reviewed to determine whether this practice is appropriate."

Here is the response from the West County Wastewater District to recommendation #4:

"This policy is being implemented. Presently, three of the five Directors are participating in the health care program. The Board of Directors is discussing whether to reduce the benefits of the participating directors to correspond with reductions upon similar benefits available to District management and staff."

Please provide us with an update on your response to this Grand Jury recommendation.

We would appreciate your response by February 15, 2013. You can send your response electronically to: Richard Knowles at cccga@gmail.com. Please note that we will share this letter and your response with the current (2012-2013) Contra Costa Civil Grand Jury.

Thank you.

Sincerely,

Richard N Knowles

Richard Knowles