



## Southern Marin Fire Protection District

308 Reed Boulevard  
Mill Valley, California 94941

Phone: 415 388-8182 Fax: 415 388-8181

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May 26, 2016

The Honorable Judge Kelly V. Simmons  
Marin County Superior Court  
PO Box 4988  
San Rafael, CA 94913-4988

Re: Marin County Civil Grand Jury Report - "2015-2016 Web Transparency Report Card: Bringing Marin County's Local Governments to Light"  
Report Date: March 10, 2016  
Public Release Date: March 17, 2016

Honorable Judge Simmons,

Attached is the response of the Board of Directors of the Southern Marin Fire Protection District to the findings and recommendations of the Grand Jury's Report titled, "2015-2016 Web Transparency Report Card: Bringing Marin County's Local Governments to Light". The response was approved during the Board's public meeting on May 25, 2016.

We applaud the work of the Grand Jury in its efforts to improve transparency between government agencies and its constituents. This agency has worked very proactively in this regard and continues to seek and implement ways to increase and improve the quantity and quality of our transparency. One such example, and we were highly disappointed that the Grand Jury made no mention of, is the deployment of OpenGov®.

Only four agencies in Marin County, (Southern Marin Fire, Marin County, and the cities of Sausalito and San Rafael) use this software tool that provides its constituents to full read-only access of all financial records of the agency. We wished that the Grand Jury would have noted this valuable transparency tool and noted the agencies who have chosen to provide this level of access to an agencies finances.

Sincerely,

Christian Tubbs, MS, EFO, CFO, MIFireE  
Fire Chief/District Manager, Southern Marin Fire District

Cc: Board of Directors  
Enclosure: Response



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Victoria Harrison, Foreperson Pro Tem  
Marin County Grand Jury  
3501 Civic Center Drive, Room #275  
San Rafael, CA 94903

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Fire Chief/District Manager, Southern Marin Fire District

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Enclosure: Response

**Southern Marin Fire Protection District  
Response to Marin County Civil Grand Jury Report**

**“2015-2016 Web Transparency Report Card: Bringing Marin County’s Local Governments to Light”**

In this Grand Jury Report, the Southern Marin Fire District has been directed to respond to Recommendations R2 & R3. Those responses are detailed below.

**RECOMMENDATIONS**

**R2. The agency should file and keep updated its Statement of Facts with the California Secretary of State and the Marin County Clerk as required by California Code §53051**

**Response:** The District Agrees with the Recommendation and has ensured that the required reporting has occurred. The District was not aware of this requirement. The District has taken specific action to ensure that this requirement is met as detailed in the legislation.

**R3. The agency should update its website to include information of the compensation of its elected officials, officers, and employees; and this information should also be submitted to the Controller, as required by Sections 12463 and 53909 of the California Government Code.**

**Response:** The District agrees that there is a statutory requirement but disagrees that they are not following the legislation.

We attempted to locate California Government Code Section 53909 and it appears such a section does not exist. A section 53908 however does, which seems to speak to the issues raised by the Grand Jury. This section states:

*53908. (a) If a local agency, that is required to report to the Controller under Section 53891, maintains an Internet Web site, it shall post, in a conspicuous location on its Internet Web site, information on the annual compensation of its elected officials, officers, and employees that is submitted to the Controller under Section 53891.*

*(b) A local agency may comply with subdivision (a) by posting, in a conspicuous location on its Internet Web site, a link to the Controller's Government Compensation in California Internet Web site.*

The Southern Marin Fire District has, and has for multiple years, reported the required information to the State Controller’s Office. We have attached the most recent report as proof. Additionally, the District’s website posts all the required compensation information of its Elected Officials, and all District Employees. Of specific note, the Firefighters MOU was recently negotiated and has been uploaded to the website. We are currently negotiating the Battalion Chief MOU and will upload that document when completed and ratified.