



August 21, 2018

Honorable Anita Santos
Judge of the Superior Court
Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091

Re: Contra Costa County Grand Jury Report No. 1708, "Joint Powers Authorities: Transparency and Accountability"

Dear Judge Santos:

Pursuant to California Penal Code Section 933.05, this letter responds to Contra Costa County Grand Jury Report No. 1708, "Joint Powers Authorities: Transparency and Accountability" This response was reviewed and authorized by the Orinda City Council at a duly noticed City Council meeting on August 21, 2018.

Grand Jury Findings

Finding #1: In the Direct JPA model, each member delegates to the JPA a function that each member has the legal authority to provide. This shared approach results in cost savings and better efficiency on behalf of taxpayers.

Response: Orinda agrees with Finding #1.

Grand Jury Recommendations

Recommendation #1: All cities with JPAs in the County should confirm their compliance with Gov. Codes Sections 6505 by submitting the required audit report to the County Auditor by December 31, 2018.

Response: The recommendation will not be implemented because it is not warranted. It is the responsibility of the JPA, not its member agencies (some but not all who may be

cities), to submit any required audit reports with the County Auditor. Under State law, JPAs are distinctly separate government entities. The City of Orinda is a member of several JPAs, some that cross multiple county jurisdictions, have their own full-time staff, and include over 20 member agencies. It is infeasible and unreasonable for member agencies to fulfill the duties of other government agencies, including JPAs.

Recommendation #5: All cities with JPAs should consider making special efforts, such as special mailings to taxpayers, website postings and announcements in local media, to communicate JPA debt decisions and audit reports to the public beyond simple notifications by December 31, 2018.

Response: The recommendation will not be implemented because it is not warranted. As stated earlier, JPAs are distinctly separate governmental entities. It is the responsibility of the JPA and not its member agencies to communicate its debt decisions and audit reports to the public on its website. As the Civil Grand Jury's Finding No. 1 states, "each member delegates to the JPA a function that each member has the legal authority to provide." Having cities with JPAs communicate JPA debt decisions and audit reports on their websites, when the information should be available on the JPAs' websites, is counter to cost savings and efficiency on behalf of taxpayers.

The City appreciates the time and effort spent by Her Honor and the Grand Jury in consideration of these matters.

Sincerely,

CITY OF ORINDA



Amy Worth
Mayor