



Approved: KF
Superior Court Judge

Date: 9/8/14



RUSSIAN RIVER FIRE PROTECTION DISTRICT

P.O. Box 367 — Guerneville, CA 95446 — (707) 869-9089 — FAX: (707) 869-2811

FIRE CHIEF-Max Ming

Honorable Kenneth Gnos
Presiding Superior Court Judge
Courtroom 15
Hall of Justice
600 Administration Dr.
Santa Rosa, CA 95403

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SONOMA

SEP 12 2014

BY RB
Deputy Clerk

Re: Response to Grand Jury Final Report Summary 2013-2014

Dear Judge Gnos,

The Russian River Fire Protection District (the "District") hereby responds, pursuant to California Penal Code Section 933.05, to the findings of the Sonoma County Grand Jury Report ("Report"), received on or about June 25, 2014. The District appreciates your consideration of this matter and hopes that its response communicates its desire to resolve the concerns raised in the Report.

As background, the District serves the area of Guerneville and surrounding communities with fire protection and emergency-related services. The District is governed by its Board of Directors ("Directors") who all volunteer their time and who genuinely care about the community in which they live. The Directors come from a variety of diverse backgrounds and experience which brings to the board a unique blend of opinions and ideas. Service on the Board by its Directors is a necessary and vital function. Recently, there has been a formal recall of two, now former, directors, as well as one resignation. Within the last few months, however, three new board members have been appointed and one board member as of January 2014.

In its Report, the Grand Jury found that "The Board of Directors of the Russian River Fire Protection District knowingly violated the Brown Act." Specifically, the Grand Jury found that "...the Board failed to adhere to the Brown Act on a recurring basis by failing to make agendas publicly available on its website and, during general meetings, holding closed sessions to discuss items such as administrative matters that the Brown Act requires be discussed in open session."

The Grand Jury's recommendation was twofold:

R1 – All members of the Board of Directors of the Russian River Fire Protection District be required to obtain appropriate training in the Brown Act; and,

R2 – The Board of Directors of the Russian River Fire Protection District adopt meeting policies and procedures to ensure compliance with the Brown Act.



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District's Response to Findings

1. Failing to Make Agenda Available on Website and During Meetings.

The District will assure that the policy with regard to posting of the agenda is enforced and the agenda's are posted on its website in accordance with the Brown Act. Copies of the agenda will also be made for the public.

2. Discussing Open Session Matters in Closed Session.

The District's response is that the relevant sections of the Brown Act are reviewed to determine if a matter can and should be discussed in closed session, and if so, what the disclosure requirements are, if any, related thereto, and overall compliance thereof.

District's Response to Grand Jury Recommendations

The Grand Jury's recommendation was that: (R1) all members of the Board of Directors of the Russian River Fire Protection District be required to obtain appropriate training in the Brown Act and (R2) the Board of Directors of the Russian River Fire Protection District adopt meeting policies and procedures to ensure compliance with the Brown Act.

As to R1, it is, and has been, the District's policy that all board members "... be familiar with the rules of the Brown Act..." (District's Administrative Manual). The District agrees that all board members, current and future, shall read or re-read the Brown Act and execute a form of "acknowledgement" of having done so. The District will search for any types of formal training and have the Board members attend such training within four (4) months, if possible, from the date of this letter. Therefore, the recommendation will have been implemented.

As to R2, the District intends on adopting the following procedures to be included as part of its Administrative Manual:

(1) All new directors shall, within the first month of appointment to the board of directors, read the Brown Act in its entirety and sign an acknowledgement that they have read and understand its terms. The Chairman of the Board shall also sign the acknowledgment. The acknowledgment from shall be kept on file for public access.

(2) Each year, within 2 months of the anniversary of appointment of each director to the board, each board member shall re-read the Brown Act and sign an acknowledgment that they have read and understand the terms thereof. The Chairman of the Board shall also sign the acknowledgment.



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We believe this response to be compliant with the Grand Jury's recommendations. In the event the Grand Jury desires compliance other than contemplated by this response, the District is certainly willing to consider its request.

The District would also like the Court to know that it takes the Brown Act very seriously and intends on ensuring that the law is followed. The District is also willing to provide any documents to the Grand Jury or to the Court to show compliance with the recommendations as set forth above.

We appreciate your Honor's consideration of this matter.

Sincerely,

A handwritten signature in cursive script that reads "Mark Emmett".

Mark Emmett

Chairman of the Board of Directors
Russian River Fire Protection District