



**COUNTY OF ALPINE
Board of Supervisors**

October 17, 2017

The Honorable Judge Thomas D. Kolpacoff
Alpine County Superior Courts
PO Box 518
Markleeville, CA 96120

FILED
SUPERIOR COURT
COUNTY OF ALPINE

OCT 18 2017
BY *Ann Pratt*
COURT CLERK

RE: Alpine County Board of Supervisors' Response to the Alpine County 2016-2017 Civil Grand Jury Report

Dear Judge Kolpacoff:

The Alpine County Board of Supervisors is in receipt of the Final Alpine County 2016-2017 Civil Grand Jury Report.

After special consideration of the findings and recommendations, the Board of Supervisors respectfully submits the prepared responses in accordance with the California Penal Code Section 933.05.

Sincerely,

Terry Woodrow
Chair, Alpine County Board of Supervisors

received
10-18-17

ALPINE COUNTY CIVIL GRAND JURY 2016-2017
 BOARD OF SUPERVISOR RESPONSE
 October 17, 2017

1. South Tahoe Public Utility District Contract Investigation 2017

Finding	County Response	Narrative
F1	Agree in part	While a technical violation occurred in approving the STUPD agreement, subsequent conduct of the parties operates to validate the agreement.
F2	Agree in part	Inflationary factors would enhance the contract compensation, unable to verify amounts.
F3	Disagree	
F4	Agree	
F5	Agree	
R1		The Grand Jury recommends reopening the agreement with the South Tahoe Public Utility District, based upon the failure of the Board to appropriately approve the 2002 amendments. The Grand Jury correctly points out that a vote of less than a majority of the Board of Supervisors is not a legitimate action of the Board. However, the time allotted for challenging the action has long passed and both parties have been acting in reliance on the agreement. The Board of Supervisors will take the Grand Jury's recommendations under consideration and confer with legal counsel.
R2		The Grand Jury recommends that the Board of Supervisors seek to increase the compensation received from South Tahoe Public Utility District to account for annual inflation rates. This will be covered under the Board's actions relative to recommendation #1. See response R2 from 2011 response to Grand Jury.
R3		The Grand Jury is recommending that the County undertake independent wastewater testing in accordance with the Sewage Quality Initiative of 1983. The Board's decision to eliminate independent monitoring was based on the Board's finding that the additional testing was yielding results not different from those established by STUPD.
R4		The Grand Jury recommends keeping the fish requirement in the agreement or convert to a cash value adjusted for inflation. This will be part of the discussion as provided in response to recommendation #1.
R5		The Grand Jury recommends continuing in partnership with South Tahoe Public Utilities District, while improving the agreement. The Board of Supervisors intends on continuing the partnership while performing due diligence in reviewing possible changes and updates to the agreement. The County worked with STUPD to reach the consolidated agreement of 2002 and the C-line agreement of 2004. See response from 2011 response to Grand Jury.