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August 7, 2013

Honorable David Warner
Presiding Judge of San Joaquin County Superior Court
222 East Weber Avenue, Room 303
Stockton, California 95202

SUBJECT:

RESPONSE TO 2012-2013 SAN JOAQUIN COUNTY GRAND

JURY REPORT - CASE NO. 1112

Dear Judge Warner:

The City of Lodi reviewed the San Joaquin County Grand Jury Report (Case No. 1112) entitled "District Board Ignores the Peoples' Right to be Informed" and dated May 21, 2013. The City Council considered the findings and recommendations of the Grand Jury as applicable to the City of Lodi, discussed the same with its professional staff and submits its comments pursuant to Penal Code Section 933.05 as set forth below. As required by Penal Code Section 933(c), the City Council's comments were approved at its regularly scheduled meeting of August 7, 2013.

The findings and recommendations outlined in the report were as follows:

Findings

- $\underline{\text{F4.1}}$ Membership on the District Board is seen as a family right and obligation passed through generations, or as a pathway for political advancement.
- <u>F4.2</u> Long terms on the District Board may lead to complacency in reviewing District financial conditions and a clear understanding of issues brought before the Board for consideration.
- <u>F5.1</u> Issues regarding non-transparent functioning and actions of the District Trustees bring into question the need for the District Board as presently appointed by the cities and the County Board of Supervisors.

Recommendations

R4.1 – No later than November 1, 2013, the County Board of Supervisors and the City Council of each city in the county petition the appropriate agencies and/or State legislature to establish term limits of two consecutive four-year terms for District Board Trustees.

City of Lodi's Response

Finding No. F4.1

In reviewing the City of Lodi's own process for appointment of a citizen member to serve on the San Joaquin County Mosquito and Vector Control Board, the City disagrees with the finding that the City's appointment to the District Board is viewed as a "...family right, obligation through generations, or as a pathway for political advancement." Upon the expiration of a term, the City Clerk's office obtains authorization from the City Council at a public meeting to post for the vacancy of the position in the local newspaper and on the City's website for a 30-day period. During that time, any registered voter in the City of Lodi can apply for the position. At the close of the application period, the Mayor recommends appointment to the entire City Council who must ratify said appointment by majority vote at a public meeting. For the District Board position, the City traditionally has only received one application during the entire application period. As a result, its current appointee has been serving as Lodi's representative since 1998. There are no other applications on file.

The City of Lodi does not have an opinion on appointments made by other cities in the County or the County itself.

Finding No. F4.2

The City of Lodi does not have an opinion, either objective or subjective, on this finding. The length of service/term limits for members of the District Board is a matter which falls under the purview and jurisdiction of San Joaquin County and/or the San Joaquin County Mosquito and Vector Control Board.

Finding No. F5.1

The City of Lodi does not have an opinion, either objective or subjective, on this finding. The existence, organization and operations of the District Board are matters which fall under the purview and jurisdiction San Joaquin County and/or the San Joaquin County Mosquito and Vector Control Board.

Recommendation No. R4.1

By way of this correspondence, a copy of which was sent to the San Joaquin County Board of Supervisors and the San Joaquin County Mosquito and Vector Control Board of Trustees, the City of Lodi petitions the governing boards of those specific agencies, to consider the establishment of term limits for trustees if they so deem appropriate. Future decisions of those agencies pertaining to the length of service/term limits for the District Board will be adhered to by the City of Lodi in its appointment process.

Sincerely,

Alan Nakanishi

Mayor

C: San Joaquin County Board of Supervisors
San Joaquin County Mosquito and Vector Control Board