



August 6, 2024

Honorable Mark A. Talamantes
Presiding Judge
Marin County Superior Court
3501 Civic Center Drive
San Rafael, CA 94903

Rod Kerr, Foreperson
Marin County Civil Grand Jury
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Re: Mill Valley City Council Response to "Cyber Preparedness: Are We There Yet?" Marin County Civil Grand Jury, May 17, 2024

Dear Honorable Judge Talamantes and Foreperson Kerr:

The City of Mill Valley's response to the FY 2023-2024 Civil Grand Jury Report "*CyberPreparedness: Are We There Yet?*" (May 17, 2024) is attached. The attached document responds to all the requests made for responses from the City of Mill Valley.

Respectfully submitted,

Todd Cusimano
City Manager

Todd Cusimano

cc: Mill Valley City Council
City Clerk

RESPONSE TO GRAND JURY REPORT

Report Title: "Cyber Preparedness: Are We There Yet?"
Report Date: May 17, 2024

Response By: Mill Valley City Council
Title: Mayor and City Council

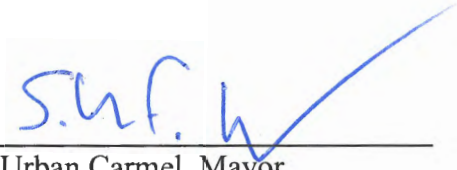
GRAND JURY FINDINGS:


- We agree with the findings numbered F1, F2, F3, F4, F5
- We disagree wholly or partially with the findings numbered: F6

GRAND JURY RECOMMENDATIONS:

- Recommendations numbered NA have been implemented.
- Recommendations numbered R1, R6 have not yet been implemented, but will be implemented in the future.
- Recommendations numbered NA require further analysis.
- Recommendations numbered NA will not be implemented because they are not warranted or are not reasonable.

DATE: 8/5/2024

Signed: 
Urban Carmel, Mayor

ATTEST:


Risa De Ferrari, City Clerk

Number of pages attached: 2

Grand Jury Report “Cyber Preparedness: Are We There Yet?”

May 17, 2024

Mill Valley City Council

RESPONSE TO FINDINGS

F1. Contracts for Information Technology, Information Systems, and Cybersecurity services between third-party providers and Marin County governmental agencies should contain a Business Continuity clause, or other language, protecting that agency from a sudden cessation of services provided by the third-party provider

Response: We agree with the finding.

F2. Marin County municipalities should have current, written contracts with third-party providers of Information Technology, Information Systems, and Cybersecurity services, and should not continue to use those providers’ services without a current contract.

Response: We agree with the finding.

F3. Membership in insurance risk pools provides the benefits of cybersecurity assessments and audits, which highlight cybersecurity deficiencies and make suggestions for improvement.

Response: We agree with the finding.

F4. Having a completed, adopted and regularly updated cybersecurity plan helps ensure that all staff within a government agency are working together to optimize that organization's cyber preparedness and security.

Response: We agree with the finding.

F5. Joint Powers Authorities in Marin County exist to provide more efficient and cost-effective services to the people of Marin.

Response: We agree with the finding.

F6. The current County Collective Bargaining Agreements prevent the Marin County Department of Information Systems & Technology from unilaterally negotiating managed service agreements (outsourcing work to third parties).

Response: We disagree partially with the finding based on it being outside of the purview of the City of Mill Valley.

Grand Jury Report “Cyber Preparedness: Are We There Yet?”

May 17, 2024

Mill Valley City Council

RESPONSE TO RECOMMENDATIONS

R1. Marin agencies should require a current (executed within the last five years), competitively-bid, written contract which includes business continuity language for any third-party Information Technology services they use.

Response: This recommendation has not yet been implemented, but will be implemented by the start of the 2025-2026 Fiscal Year.

R6. All Marin municipalities should:

- a) take all steps necessary to acquire an appropriate .gov or .ca.gov domain;
- b) formulate and adopt a plan for rolling out a .gov or .ca.gov website and emails by the start of the 2025-2026 Fiscal Year.

Response: This recommendation has not yet been implemented, but will be implemented by the start of the 2025-2026 Fiscal Year.

RESOLUTION NO. 24-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILL VALLEY AUTHORIZING THE MAYOR TO EXECUTE THE CITY OF MILL VALLEY’S RESPONSE TO THE 2023-2024 MARIN COUNTY CIVIL GRAND JURY REPORT ENTITLED “CYBER PREPAREDNESS: ARE WE THERE YET?”

THE CITY COUNCIL OF THE CITY OF MILL VALLEY HEREBY FINDS AND RESOLVES AS FOLLOWS:

SECTION 1. Pursuant to Penal Code section 933, a public agency which receives a Grand Jury Report addressing aspects of the public agency’s operations must, within ninety (90) days, provide a written response to the Presiding Judge of the Superior Court, with a copy to the Foreperson of the Grand Jury, responding to the Report’s findings and recommendations.

SECTION 2. Penal Code section 933 specifically requires that the “governing body” of the public agency provide said response and, in order to lawfully comply, the governing body must consider and adopt the response at a noticed public meeting pursuant to the Brown Act.

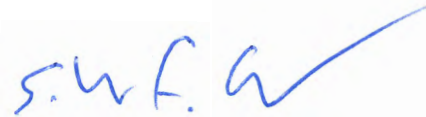
SECTION 3. The City Council of the City of Mill Valley has received and reviewed the Marin County Grand Jury Report, dated May 17, 2024, entitled “Cyber Preparedness: Are We There Yet?” and has added the discussion of this report to the July 15, 2024 City Council meeting agenda to consider the City’s response.


SECTION 4. The City Council approves and authorizes the Mayor to execute the City’s response to the Marin County Grand Jury’s May 17, 2024 report, entitled “Cyber Preparedness: Are We There Yet?” - a copy of which is attached hereto and incorporated herein by reference.

SECTION 5. The City Clerk is hereby directed to forward the City’s response forthwith to the Presiding Judge of the Marin County Superior Court and to the Foreperson of the Marin County Civil Grand Jury.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Mill Valley on the **15th** day of **July, 2024**, by the following vote:

AYES: COUNCILMEMBERS: Wickham, Joachim, Perrey, Burke, Carmel.
NOES: None.
ABSENT: None.
ABSTAIN: None.


Urban Carmel, Mayor

ATTEST:

Risa De Ferrari, City Clerk