



**CITY OF NOVATO**  
CALIFORNIA

July 23, 2024

The Honorable Judge Mark Talamantes  
Marin County Superior Court  
P.O. Box 4988  
San Rafael, CA 94913-4988

**RE: Response to Grand Jury Report “Cyber Preparedness: Are We There Yet?”**

Dear Honorable Judge Talamantes

At its regular meeting on July 23, 2024 the Novato City Council reviewed the above report which requests the City Council respond to Findings F1– F5 and Recommendations R1 and R6 as contained in the report.

Attached please find the City of Novato's response.

If the members of the Grand Jury require additional information, please contact City Manager Amy Cunningham at [acunningham@novato.org](mailto:acunningham@novato.org) .

We appreciate the work of the Grand Jury and thank you for your service to our residents and the Marin County community.

Sincerely,

Mark Milberg, Mayor  
City of Novato

Attachments (1)

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

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Mayor Mark Milberg | Mayor Pro Tem Tim O'Connor | Councilmembers Pat Eklund ▪ Rachel Farac ▪ Susan Wernick  
City Manager Amy Cunningham

## Response to Grand Jury Report

Report Title: Cyber Preparedness: Are We There Yet?

Respondent/Agency Name: City of Novato

Your Name: Mark Milberg Title: Mayor

### FINDINGS

- I (we) agree with the findings numbered: **F1, F2, F3, F4, and F5**
- I (we) disagree *partially* with the findings numbered: **N/A**
- I (we) disagree *wholly* with the findings numbered: **F6**

### RECOMMENDATIONS

- Recommendation numbered **R1** will not be implemented because it is not warranted.
- Recommendation numbered **R6 (a)** has been implemented.
- Recommendations numbered **R6 (b)** has not yet been implemented but will be implemented in FY 2025/26.



07/23/24

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

Mayor  
City of Novato

Number of pages attached: 3

## **RESPONSE OF THE CITY OF NOVATO TO GRAND JURY REPORT THE GUN NEXT DOOR: FIREARM SAFETY IN MARIN COUNTY**

### **FINDINGS**

The responses below have been made from the perspective of the City of Novato's experience with cybersecurity and maintaining business continuity in all services. We do not have full insight on the practices, purchasing policies and procedures of other Cities and Towns in Marin County.

#### **Response to Report Findings**

The Grand Jury requested that the City respond to the six report findings listed above. Staff reviewed these findings and recommended that the City Council agree with the findings numbered F1, F2, F3, F4, and F5, and the finding numbered F6 is not applicable, and provide explanations in response to six of the findings, as follows:

**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: Agree.

The City of Novato does not utilize a third-party managed service provider for maintenance and support of critical services. Consulting is utilized where applicable, however consultants are not responsible for maintaining required City of Novato services. The City does maintain a contract and service level agreements for additional Cybersecurity assistance where applicable.

**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: Agree.

The City relies upon IT services to maintain daily operation and business continuity throughout the City. Contracts are critical to minimize risks and liabilities in utilities and service providers. As noted in Finding 1, the City maintains the critical infrastructure in-house and does not utilize third party managed services. Where consultants are needed, contracts are in place.

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

Response: Agree.

A potential cybersecurity attack could cost a municipality millions of dollars to remediate. Insurance risk pools help to mitigate the overall potential cost impact on a City to recover

from an attack. The City participates in California Joint Powers Risk Management Association (CJPRMA) and cyber insurance coverage is a part of this membership.

**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: Agree.

Cybersecurity is part of the core service managed by the City's staff who monitors and responds to threats, provides network backups, and manages cybersecurity training. Staff is required to participate in annual security training including email updates on current threats, phishing simulations, and regular password changes. The City conducts an internal annual audit to ensure industry best practices have been implemented, and continues to add additional layers of security as they are available.

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

Response: Agree.

When available, JPA's may be a good way to provide more efficient and cost-effective services to the people of Marin.

**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: Disagree wholly with the finding.

It is not within the City of Novato's realm of responsibility to make a determination about the County's practices and limitations related to this finding. The County's collective bargaining agreements are the responsibility of the County of Marin.

## **RECOMENDATIONS**

The Grand Jury requested that the City respond to report recommendations R1, R6 (a), and R6 (b). Staff recommends that the City Council respond as follows:

The Marin County Civil Grand Jury recommends the following:

**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.**

This recommendation will not be implemented because it is not warranted or is not reasonable. The City does not use third-party services to provide ongoing Information Technology operations. Novato adheres to the City's adopted purchasing policies and when applicable, includes business continuity language when executing all contracts.

**R6 All Marin municipalities should: (a) take all steps necessary to acquire an appropriate .gov or .ca.gov domain.**

This recommendation has been implemented. The City of Novato has acquired the Novato.gov domain name.

**R6. All Marin municipalities should: (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.**

This recommendation has not yet been implemented, but will be implemented in the future. The City is in the process of evaluating the impact to our services and will migrate to the .gov domain prior to the 2029 deadline. By the start of the 2025-2026 Fiscal Year, we expect to formulate and adopt a plan for the implementation of a .gov website and email addresses.

AB1637 (which requires municipalities to move to .gov or .ca.gov domains no later than 2029) is an unfunded mandate from the State of California. The domain change will impact all City services including public safety. A report from the California League of Cities estimated costs upwards to \$600,000 for mid-sized cities to make this migration for all City services. The process to move to a .gov or .ca.gov domain will require planning, time, and funding to complete.