



## SUMMARY OF RESPONSES TO THE FINAL REPORTS OF THE 2017-2018 SAN MATEO COUNTY CIVIL GRAND JURY AND REPORT ON FOLLOW-UP AS TO REMAINING UNRESOLVED RESPONSES TO THE PRIOR TWO YEARS' FINAL REPORTS

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### BACKGROUND

California Penal Code Section 933(a) requires the Grand Jury to “submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year.” Section 933(c) requires comments from the governing body, elected county officers, or agency heads to the presiding judge of the superior court on the findings and recommendations within the required period of time. Governing bodies of public agencies are required to respond no later than 90 days after the Grand Jury submits a final report, elected county officers and agency heads no later than 60 days. All Civil Grand Jury reports and the responses can be reviewed on the following website: [http://www.sanmateocourt.org/court\\_divisions/grand\\_jury](http://www.sanmateocourt.org/court_divisions/grand_jury).

The Grand Jury’s practice is that, each year, the responses and comments submitted in response to reports issued by the most recent two prior years’ Grand Juries are evaluated by the then-current Grand Jury in light of California Penal Code Section 933.05(b), which requires the agency head, county officer, or governing body to provide one of four possible responses to each recommendation:

1. Has been implemented, with a summary of the action taken
2. Will implement the recommendation, with a timetable for the implementation
3. Requires further analysis, with an explanation and a timeframe for the response of up to six months from the release of the report
4. Will not implement because it is not warranted or is not reasonable, with an explanation

### SUMMARY OF RESPONSES

#### 2017-2018 Responses

The 2017-2018 Grand Jury issued eight Final Reports that included recommendations. The ninth contained findings, but not recommendations, and required no response. The first eight reports required responses from a total of 28 responding agencies. There were 39 recommendations, and a total of 237 responses were requested. The 2018-2019 San Mateo County Civil Grand Jury reviewed final reports, the formal responses filed by the affected agencies and their responses to follow-up inquiries by the Grand Jury. The majority of responses stated that the Grand Jury’s recommendation had been implemented, will be implemented, or requires further study. [Appendix A](#) contains more specific content from these responses. The Appendix lists the final report title, followed by the recommendations. Responses are organized by responding agencies, applicable recommendations, and responses. The last column of the Appendix indicates whether further follow-up is indicated by the 2019-2020 Grand Jury.

Information gathered in [Appendix A](#) provides the public a method by which to determine whether or not the affected agencies are responsive to the recommendations of the Grand Jury.

The table below indicates the overall responses:

<b>2017-2018 Responses</b>		
Response	Recommendations	% of Total
Implemented	117	49%
Will Implement	64	27%
Requires Further Analysis	20	8%
Will Not Implement	36	15%
<b>Totals</b>	<b>237</b>	<b>100%</b>

**Follow-up on Remaining Unresolved 2016-2017 Report Responses:**

There were 47 recommendations in the 2015-2016 Final Reports whose responses to the reports and to follow-up inquiries by the 2017-18 Grand Jury and the 2018-19 Grand Jury indicated either that they would be implemented but had not yet been, or that further analysis was required but the study had not yet been completed. [Appendix B](#) contains more specific content from these responses. The Appendix lists the final report title, followed by the recommendations. Responses are organized by responding agencies, applicable recommendations, and responses. The last column of the Appendix indicates whether further follow-up is indicated by the 2019-2020 Grand Jury.

Information gathered in [Appendix B](#) provides the public a method by which to determine whether or not the affected agencies are responsive to the recommendations of the Grand Jury.

The table below indicates the updated status:

<b>2016-2017 Responses</b>		
Response	Recommendations	% of Total
Implemented	47	46%
Will Not Implement	9	9%
Follow-up in 2019-20	47	46%
<b>Totals</b>	<b>103</b>	<b>100%</b>

**Follow-up on Remaining Unresolved 2015-2016 Report Responses:**

There were 5 recommendations in the 2015-2016 Final Reports whose responses to the reports and to follow-up inquiries by the 2017-18 Grand Jury and the 2018-19 Grand Jury indicated either that they would be implemented but had not yet been, or that further analysis was required but the study had not yet been completed. Appendix C contains more specific content from these responses. The Appendix lists the final report title, followed by the recommendations. Responses are organized by responding agencies, applicable recommendations, and responses. The last column of the Appendix indicates whether further follow-up is indicated by the 2019-2020 Grand Jury.

Information gathered in Appendix C provides the public a method by which to determine whether or not the affected agencies are responsive to the recommendations of the Grand Jury.

The table below indicates the updated status:

<b>2015-2016 Responses</b>		
<b>Response</b>	<b>Recommendations</b>	<b>% of Total</b>
Implemented	2	25%
Will Not Implement	1	13%
Follow-up in 2019-20	5	63%
<b>Totals</b>	<b>8</b>	<b>100%</b>

The 2018-2019 Grand Jury thanks all the responding agencies for their careful consideration of the Grand Jury's work on behalf of the residents of San Mateo County.

**APPENDIX A: SUMMARY OF RESPONSES TO THE 2017-2018 SAN MATEO COUNTY CIVIL GRAND JURY FINAL REPORTS**

***Cooperative Purchasing – A Roadmap To More Effective City Procurement***

The 2017-2018 San Mateo County Civil Grand Jury recommends that each City undertake the following by no later than February 1, 2019:

- R1. Increase the use of cooperative purchasing practices, including piggyback contracts and joint procurement agreements.
- R2. Share with other Cities and the County Procurement Division their procurement needs in order to identify opportunities for cooperative procurements between the Cities and the County.

The 2017-2018 San Mateo County Civil Grand Jury recommends that the County of San Mateo do the following by no later than February 1, 2019:

- R3. Increase the use of cooperative purchasing practices, including the development and insertion of piggyback language into County contracts, with the Cities.
- R4. Share with the Cities the County’s procurement needs to identify opportunities for further cooperative purchasing.
- R5. Relocate the County’s Procurement Division into an appropriate reporting structure, such that the Procurement Division shall report directly to the County Manager.

The 2017-2018 San Mateo County Civil Grand Jury recommends that the County of San Mateo do the following by no later than July 1, 2019.

- R6. Develop and study a plan to achieve the Checkpoints on the Pathway towards City-County Procurement Cooperation within current plans to improve the Purchasing Division, including:
  - a. Hire experienced buyers.
  - b. Create and distribute to the Cities a register of open contracts.
  - c. Ensure the County’s purchasing software can track key indicators.
  - d. Ensure the County’s purchasing software can accommodate city purchases.
  - e. Identify, in conjunction with the Cities, the goods and services with the highest potential savings.
  - f. Negotiate discounted contracts for those goods and services.
  - g. Distribute and report discounts to the Cities on a consistent basis.

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP 2019/20
<b>San Mateo County Board of Supervisors</b>	R3	Will be implemented	✓
	R4	Will be implemented	✓
	R5	Requires further analysis	✓
	R6	Will be implemented/requires further analysis	✓
<b>Town of Atherton</b>	R1	Implemented	
	R2	Requires further analysis	✓
<b>City of Belmont</b>	R1	Implemented	
	R2	Implemented	
<b>City of Brisbane</b>	R1	Implemented	
	R2	Requires further analysis	✓
<b>City of Burlingame</b>	R1	Implemented	
	R2	Implemented	
<b>Town of Colma</b>	R1	Partially implemented	✓
	R2	Requires further analysis	✓
<b>City of Daly City</b>	R1	Implemented	
	R2	Will be implemented	✓
<b>City of East Palo Alto</b>	R1	Implemented	
	R2	Will not be implemented	✓

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP 2019/20
City of Foster City	R1	Implemented	
	R2	Will be implemented	✓
City of Half Moon Bay	R1	Implemented	
	R2	Will be implemented	✓
Town of Hillsborough	R1	Will be implemented by Feb 1, 2019	✓
	R2	Will not be implemented – unreasonable	
City of Menlo Park	R1	Requires further analysis	✓
	R2	Will not be implemented	✓
City of Millbrae	R1	Implemented	
	R2	Implemented	
City of Pacifica	R1	Will be implemented	✓
	R2	Will be implemented	✓
Town of Portola Valley	R1	Requires further analysis	✓
	R2	Requires further analysis	✓
City of Redwood City	R1	Implemented	
	R2	Implemented	
City of San Bruno	R1	Will be implemented	✓
	R2	Will be implemented	✓
City of San Carlos	R1	Implemented	
	R2	Implemented	
City of San Mateo	R1	Requires further analysis	✓
	R2	Requires further analysis.	✓
City of South San Francisco	R1	Implemented	
	R2	Will be implemented	✓
Town of Woodside	R1	Implemented	
	R2	Will be implemented	✓

### **County Pension Costs – Hard Choices Paying Off**

- R1. The Grand Jury recommends that the County Board of Supervisors continue to implement its MOU with SamCERA to eliminate its Unfunded Liability by the end of FY 2022-2023, provided that actuarial assumptions are met.
- R2. The Grand Jury recommends that the County Board of Supervisors keep overall salary increases at or below the actuarial rates assumed by SamCERA.
- R3. Due to uncertainties regarding future pension liabilities, especially returns on investments, the Grand Jury recommends that the County Board of Supervisors, in budgeting for years beyond FY 2022-2023, ensure that the anticipated savings that accrue from eliminating the need to pay down an Unfunded Liability are not irrevocably committed to other budgetary purposes, such as operational or other ongoing expenses.
- R4. The Grand Jury recommends that the SamCERA Board of Retirement continue to conduct Triennial Experience Studies to address potential demographic changes and continue to conduct annual economic analyses to assess its economic assumptions, including Return on Investment.

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP 2019/20
<b>San Mateo County Board of Supervisors</b>	R1	Implemented	
	R2	Will not be implemented	
	R3	Will not be implemented	
<b>San Mateo County Employees' Retirement Association (SamCERA)</b>	R4	Implemented	

### **Law Enforcement Officers + Narcan = Lives Saved From Opioid Overdoses**

The 2017-2018 San Mateo County Civil Grand Jury recommends that the San Mateo County Sheriff's Office, the Broadmoor Police Protection District, and the Police Departments of Atherton, Belmont, Brisbane, Burlingame, Colma, Daly City, East Palo Alto, Foster City, Hillsborough, Menlo Park, Pacifica, Redwood City, San Bruno, San Mateo, and South San Francisco, do the following by December 31, 2018:

- R1. Train and equip law enforcement officers at heightened risk of exposure to fentanyl derivatives with intranasal naloxone as a minimum standard of practice.
- R2. Evaluate training and equipping all law enforcement officers with intranasal naloxone in order to protect themselves and the general public.

The 2017-2018 San Mateo County Civil Grand Jury further recommends that the San Mateo County Coroner do the following by December 31, 2018:

- R3. Train and equip Coroner's Office personnel at a heightened risk of exposure to fentanyl derivatives with intranasal naloxone.

The 2017-2018 San Mateo County Civil Grand Jury further recommends that the San Mateo County Sheriff do the following by December 31, 2018:

- R4. Train and equip Sheriff's Forensic Lab personnel at a heightened risk of exposure to fentanyl derivatives with intranasal naloxone.

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP 2019/20
<b>San Mateo County Board of Supervisors</b>	R1	Implemented	
	R2	Implemented	
	R3	Will be implemented.	✓
	R4	Implemented.	
<b>San Mateo County Sheriff</b>	R1	Implemented	
	R2	Implemented.	
	R4	Implemented.	

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP 2019/20
San Mateo County Coroner	R3	Will be implemented in May-June 2019.	✓
Broadmoor Police Protection District	R1	Will be implemented.	✓
	R2	Will be implemented.	✓
Town of Atherton	R1	Implemented.	
	R2	Implemented.	
City of Belmont	R1	Will be implemented in 2019.	✓
	R2	Will be implemented in 2019.	✓
City of Brisbane	R1	Implemented.	
	R2	Implemented.	
City of Burlingame	R1	Implemented.	
	R2	Implemented.	
Town of Colma	R1	Will be implemented. (City did not respond to February 2019 letter from Grand Jury requesting an update.)	✓
	R2	Will be implemented. (City did not respond to February 2019 letter from Grand Jury requesting an update.)	✓
City of Daly City	R1	Implemented.	
	R2	Implemented.	
City of East Palo Alto	R1	Will be implemented. (City did not respond to February 2019 letter from Grand Jury requesting an update.)	✓
	R2	Will be implemented. (City did not respond to February 2019 letter from Grand Jury requesting an update.)	✓
City of Foster City	R1	Will be implemented. (City did not respond to February 2019 letter from Grand Jury requesting an update.)	✓
	R2	Will be implemented. (City did not respond to February 2019 letter from Grand Jury requesting an update.)	✓
Town of Hillsborough	R1	Implemented.	
	R2	Implemented.	
City of Menlo Park	R1	Will be implemented. (City did not respond to February 2019 letter from Grand Jury requesting an update.)	✓
	R2	Will be implemented. (City did not respond to February 2019 letter from Grand Jury requesting an update.)	✓
City of Pacifica	R1	Will be implemented.	✓
	R2	Will be implemented.	✓
City of Redwood City	R1	Implemented.	
	R2	Implemented.	
City of San Bruno	R1	Implemented.	
	R2	Implemented.	
City of San Carlos	R1	Implemented.	
	R2	Implemented.	
City of San Mateo	R1	Implemented.	
	R2	Implemented.	
City of South San Francisco	R1	Implemented.	
	R2	Implemented.	

## **Menlo Park Fire Protection District: Ready for Growth**

The 2017-2018 San Mateo County Civil Grand Jury recommends that the Menlo Park Fire Protection District Board of Directors do the following:

### **Strategic Planning**

- R1: Develop a strategic plan that conforms to the standards set by the Center for Public Safety Excellence by June 30, 2019.
- R2: Prepare an updated fire station location and land acquisition plan encompassing the entire District by June 30, 2019.
- R3: Ensure its administrative functions operate effectively regardless of competing short-term priorities caused by emergency response operations, including the establishment of an ongoing management process to track progress and results of agency goals and objectives relating to general organizational and operational programs. The District board should take these actions by June 30, 2019.

### **Property Acquisitions**

- R4: Review the consultant recommendations relative to the location of Station 3 and re-examine the basis for purchasing the Atherton property by June 30, 2019.

### **Impact Fees**

- R5: Initiate dialogue with local government partners (Atherton, East Palo Alto, Menlo Park, and the County of San Mateo) to evaluate if impact fees on new development are necessary to adequately fund District operations in future years by December 31, 2018.
- R6: If impact fees are determined to be necessary to fund District operations in future years, the District should initiate an effort to satisfy local government requirements, such as an independent analysis of the District's fiscal condition, to implement an impact fee program by December 31, 2019.

### **Accreditation**

- R7: Commit to completing the CFAI accreditation process by December 31, 2019.
- R8: Once accredited, annually budget sufficient funds to cover all costs associated with maintaining accreditation, including staff resources, training, and consultant services. Maintenance of accreditation should be added to the fire chief's annual performance evaluation. These policies should be formally adopted by the District's Board by June 30, 2020.

### **Donations**

- R9: Adopt a policy not to pursue or accept donations from any private entity over which it exercises any official powers, such as building or plan inspection, or enforcement of any law or regulation. This policy should be adopted by December 31, 2018.

### **District Identity**

- R10: Expand its website to include a description of special districts in general and the Menlo Park Fire Protection District in particular by June 30, 2019.

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP 2019/20
<b>Menlo Park Fire Protection District</b>	R1	Will be implemented. (No further response, following District's April 2019 request for more time, to inquiry re status from Grand Jury.)	✓
	R2	Will be implemented. (No further response, following District's April 2019 request for more time, to inquiry re status from Grand Jury.)	✓
	R3	Will be implemented. (No further response, following District's April 2019 request for more time, to inquiry re status from Grand Jury.)	✓
	R4	Will be implemented. (No further response, following District's April 2019 request for more time, to inquiry re status from Grand Jury.)	✓
	R5	Will not be implemented.	
	R6	Will not be implemented.	
	R7	Will be implemented. (No further response, following District's April 2019 request for more time, to inquiry re status from Grand Jury.)	✓
	R8	Will be implemented. (No further response, following District's April 2019 request for more time, to inquiry re status from Grand Jury.)	✓
	R9	Will not be implemented.	
	R10	Will not be implemented.	



## ***Project Management of the Caltrain Modernization Program***

The 2017-2018 San Mateo County Civil Grand Jury recommends that the Peninsula Corridor Joint Powers Board implement the following recommendations.

- R1. Caltrain should publish an interactive dashboard focusing on overall project schedule, budget, and deliverables that is readily visible on the CalMod homepage (calmod.org). The dashboard should include links to the supporting data in the Monthly Progress Reports and other places. This recommendation should be implemented by June 30, 2019.
- R2. CalMod should publish an explanation of how total project spending is tracked against the planned budget. Spending more or less than budgeted should be explained and a brief explanation of how the budget will be returned to plan (if possible) should be included. This information should be appended to the Monthly Progress Reports. This recommendation should be implemented by December 31, 2018.
- R3. A high-level CalMod project schedule should be published every month showing the progress of the project against the planned timeline. The schedule should have quarterly milestones so that the public can determine if the overall project is on schedule. This schedule should be included in the Executive Summary and Schedule sections of the Monthly Progress Reports. This recommendation should be implemented by December 31, 2018.

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP 2019/20
<b>Peninsula Corridor Joint Powers Board</b>	R1	Will not be implemented	
	R2	Implemented	
	R3	Implemented	

## ***Smoke-Free Multiunit Housing: No Ifs, Ands, Or Butts***

- R1: Each jurisdiction with an MUH smoking ordinance (Belmont, Brisbane, Burlingame, Daly City, Foster City, Redwood City, San Bruno, City of San Mateo, South San Francisco and the County of San Mateo for its unincorporated areas) should improve their educational outreach to residents regarding such ordinances, including at a minimum each of the following, by no later than March 31, 2019:
  - Publishing summaries of residents' rights and obligations under their MUH smoking ordinances, including on their websites
  - Publishing information on how to report violations of MUH smoking ordinances, including on their websites
  - Informing residents that they can report violations of MUH smoking ordinances anonymously
  - Informing residents, including on their websites, that it is unlawful for any landlord or other person to take any retaliatory action against them for having reported a violation of an MUH smoking ordinance
  - Ensuring that information about reporting MUH smoking ordinance violations is just as readily accessible on their websites as information about other forms of nuisance
  - Ensuring that, upon typing the word "smoking," or the like in the search features of their websites, users are directed to all information about the jurisdiction's MUH smoking ordinance and related complaints process
- R2: The cities of Burlingame, Foster City, San Mateo, and South San Francisco should amend their MUH smoking ordinances, by no later than December 31, 2018, to prohibit retaliation against individuals who report violations of the MUH smoking ordinances.
- R3: The cities of Brisbane, Burlingame, Daly City, and the County of San Mateo for its unincorporated areas should amend their MUH smoking ordinances, by no later than December 31, 2018, to prohibit smoking medical marijuana in multiunit housing.
- R4: Each jurisdiction with an MUH smoking ordinance (Belmont, Brisbane, Burlingame, Daly City, Foster City, Redwood City, San Bruno, City of San Mateo, South San Francisco, and the County of San Mateo for its unincorporated areas) should, by June 30, 2019, evaluate ways to improve its collection and retrieval of complaints of MUH smoking violations so that:
  - Information regarding each complaint of an MUH smoking ordinance violation, and the response to it (complaints data) is recorded in a searchable electronic database
  - The jurisdiction can evaluate trends in the complaints data and the efficacy of the MUH smoking ordinance
- R5: Each jurisdiction with an MUH smoking ordinance should, by December 31, 2018, make their complaints data (with names of alleged violators deleted) available to the TPP and TEC on at least an annual basis.
- R6: Each jurisdiction with an MUH smoking ordinance should, by December 31, 2018, conduct a review of current methods used by the public to report MUH smoking violations and possible improvements (including online reporting on their websites and use of mobile phone apps) to ensure ease of reporting.
- R7: The towns/cities of Colma, East Palo Alto, Half Moon Bay, Menlo Park, Millbrae, Pacifica, Portola Valley, and San Carlos should, by December 31, 2018, hold public hearings to evaluate issues and hear residents' views on restricting smoking in multiunit housing in their jurisdictions.

R8: TPP and TEC should update their web pages by March 31, 2019, to include the following:

- Links to MUH jurisdictions' smoking ordinances and their summaries/FAQs
- Information on how to report violations of MUH smoking ordinances in each applicable jurisdiction

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP 2019/20
San Mateo County Board of Supervisors	R1	Implemented	
	R3	Legal assessment due June 30, 2019	✓
	R4	Implemented	
	R5	Implemented	
	R6	Will be implemented by December 31, 2019	✓
	R8	Implemented	
City of Belmont	R4	Implemented	
	R5	Implemented	
	R6	Implemented	
City of Brisbane	R3	Will not implement	
	R4	Implemented	
	R5	Implemented	
	R6	Implemented	
City of Burlingame	R2	Will be implemented by May 31, 2019.	✓
	R3	Will not implement	
	R4	Implemented	
	R5	Implemented	
	R6	Implemented	
Town of Colma	R7	Implemented	
City of Daly City	R1	Will be implemented	✓
	R3	Will be implemented	✓
	R4	Will be implemented	✓
	R5	Will be implemented	✓
	R6	Will be implemented	✓
City of East Palo Alto	R7	Implemented	
City of Foster City	R2	Implemented	
	R4	Implemented	
	R5	Implemented	
	R6	Implemented	
City of Half Moon Bay	R7	Implemented	
City of Menlo Park	R7	Will be implemented	✓
City of Millbrae	R7	Will be implemented by July 9, 2019	✓
City of Pacifica	R7	Implemented	
City of Redwood City	R1	Implemented	
	R4	Implemented	
	R5	Implemented	
	R6	Implemented	

<b>RESPONDING AGENCY</b>	<b>APPLICABLE RECOMMENDATION</b>	<b>RESPONSE</b>	<b>FOLLOW UP 2019/20</b>
<b>City of San Bruno</b>	R1	Implemented	
	R4	Implemented	
	R5	Implemented	
	R6	Implemented	
<b>City of San Carlos</b>	R7	Implemented	
<b>City of San Mateo</b>	R1	Implemented	
	R2	Will not be implemented	
	R4	Implemented	
	R5	Implemented	
	R6	Implemented	
<b>City of South San Francisco</b>	R1	Implemented	
	R2	Implemented	
	R4	Implemented	
	R5	Implemented	
	R6	Implemented	

## ***Soaring City Pension Costs – Time for Hard Choices***

- R1. The Grand Jury recommends that, by December 31, 2018, each City schedule public hearings to engage its residents in addressing the city's increasing pension costs and to develop a long-term plan to address them.
- R2. The Grand Jury recommends that, by December 31, 2018, and annually thereafter, each City publish a report on its website detailing its pension obligations. The report should include, at a minimum, the following:
- a) The City's total pension contribution costs under all plans, and also broken out into subtotals for all Miscellaneous Plans, and all Safety Plans, for each of the 3 preceding fiscal years as well as estimates for such costs in each of the following 10 fiscal years, assuming CalPERS' actuarial assumptions are met.
  - b) The City's total Unfunded Liabilities under all plans, and also broken out into subtotals for all Miscellaneous Plans, and all Safety Plans, for each of the 3 preceding fiscal years as well as estimates for such Unfunded Liabilities in each of the next 10 fiscal years, assuming CalPERS' actuarial assumptions are met.
  - c) The City's Funded Percentage across all plans, and also broken out into subtotals for all Miscellaneous Plans, and all Safety Plans, for each of the 3 preceding fiscal years as well as estimates for such Funded Percentages in each of the next 10 fiscal years, assuming CalPERS' actuarial assumptions are met.
  - d) The percentage of the City's general fund expenditures and covered payroll represented by the pension costs described in (a) above (using estimates of general fund expenditures in future fiscal years).
  - e) In addition, estimated information for all projections regarding the next 10 fiscal years set forth in items (a) through (e) above should be presented using a Discount Rate that is 1 percentage point below CalPERS' then-current Discount Rate.
- R3. The Grand Jury does not recommend specific policies or implementation measures to address pension costs. However, it recommends that, by no later than December 31, 2018, and annually thereafter, each City instruct its staff to deliver a report to the City Council in connection with the City's financial plan evaluating available options to address pension costs and that each City hold public hearings to discuss and consider such options no less than every other fiscal year. These include (but may not be limited to):
- Regular supplemental payments to CalPERS (beyond those required by CalPERS) to accelerate the amortization of their Unfunded Liabilities.
  - Irregular supplemental payments to CalPERS (beyond those required by CalPERS), as when a City has a budget surplus or receives special non-recurring revenues.
  - Electing to apply shorter Amortization Periods (that is, less than 20 years) to their Unfunded Liabilities.
  - Issuing pension obligation bonds.
  - Establishing substantial reserves that can be applied in the future to help meet rising pension costs and/or accelerate amortization of Unfunded Liabilities.
  - Establishing Section 115 trusts for the exclusive purposes of meeting rising pension costs and/or accelerating amortization of Unfunded Liabilities.
  - Reductions in general fund operating costs other than pensions.
  - Seeking additional general fund revenues that can be applied directly to paying pension costs or that can offset general fund budget shortfalls that would otherwise occur.
  - Keeping employee salary increases at or below the levels assumed by CalPERS.
  - Negotiating cost-sharing agreements with employees under which employees pay a portion of the City's pension costs (without at the same time agreeing to offsetting compensation increases).
  - Maintaining growth in employee salaries and COLAs at or below the assumed CalPERS rates.
  - To the extent allowed by law, consider the recommendation of the League of California Cities to renegotiate employee contracts to bring the pension Benefits of Classic Members in line with PEPRAs Members, for future work. In particular, ensure that the salary used to determine final retirement compensation is based on the average of the final 3 years of employment (rather than highest 1 year), and that the salary is not enhanced by "spiking," such as by including overtime, unused vacation or sick leave, purchases of "air time," and the like.
- R4: The Grand Jury recommends that, by June 30, 2019, each City develop and publish a long-term financial plan to deal with rising pension costs, and update that plan annually. Such a plan should include:
- Specific objectives, such as identifying a target Funded Percentage, eliminating the Unfunded Liabilities over "n" years and maintaining the City's share of Normal Costs at "n" percentage of payroll.
  - Policies to achieve these objectives.
  - Specific measures to implement the policies.
  - A process to monitor progress in implementing the measures and in achieving the objectives.
  - Consideration of alternative policies and measures, or a "Plan B," that may be used in the event that CalPERS's actuarial assumptions, especially the Discount Rate, are not met in future years.

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP 2019/20
Town of Atherton	R1	Implemented.	
	R2	Will not implement.	
	R3	Will not implement.	
	R4	Implemented.	
City of Belmont	R1	Implemented.	
	R2	Will not implement.	
	R3	Will not implement.	
	R4	Implemented.	
City of Brisbane	R1	Implemented.	
	R2	Requires further analysis.	✓
	R3	Requires further analysis.	✓
	R4	Requires further analysis.	✓
City of Burlingame	R1	Implemented.	
	R2	Will not be implemented	
	R3	Implemented.	
	R4	Implemented.	
Town of Colma	R1	Implemented	
	R2	Implemented	
	R3	Requires further analysis. (Town did not respond to February 2019 letter from Grand Jury requesting an update.)	✓
	R4	Will be implemented by December 31, 2018. (Town did not respond to February 2019 letter from Grand Jury requesting an update.)	✓
City of Daly City	R1	Implemented.	
	R2	Will be implemented by July 2019.	✓
	R3	Implemented.	
	R4	Will be implemented by June 30, 2019.	✓
City of East Palo Alto	R1	Implemented.	
	R2	Will not be implemented.	
	R3	Will not be implemented.	
	R4	Will not be implemented.	
City of Foster City	R1	Implemented.	
	R2	Will not be implemented.	
	R3	Implemented.	
	R4	Will be implemented by June 30, 2019.	✓
City of Half Moon Bay	R1	Will be implemented. (City did not respond to February 2019 letter from Grand Jury requesting an update.)	✓
	R2	Will be implemented. (City did not respond to February 2019 letter from Grand Jury requesting an update.)	✓
	R3	Will be implemented. (City did not respond to February 2019 letter from Grand Jury requesting an update.)	✓
	R4	Requires further analysis. (City did not respond to February 2019 letter from Grand Jury requesting an update.)	✓

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP 2019/20
Town of Hillsborough	R1	Will not be implemented.	
	R2	Will not be implemented.	
	R3	Will not be implemented.	
	R4	Will not be implemented.	
City of Menlo Park	R1	Implemented.	
	R2	Will be implemented. (City did not respond to February 2019 letter from Grand Jury requesting an update.)	✓
	R3	Will be implemented. (City did not respond to February 2019 letter from Grand Jury requesting an update.)	✓
	R4	Will be implemented. (City did not respond to February 2019 letter from Grand Jury requesting an update.)	✓
City of Millbrae	R1	Implemented.	
	R2	Will not be implemented.	
	R3	Will not be implemented.	
	R4	Will not be implemented.	
City of Pacifica	R1	Implemented.	
	R2	Will not implement.	
	R3	Implemented.	
	R4	Will be implemented by June 30, 2019.	✓
Town of Portola Valley	R1	Implemented.	
	R2	Requires further analysis.	✓
	R3	Implemented.	
	R4	Will be implemented in calendar 2020.	✓
City of Redwood City	R1	Requires further analysis.	✓
	R2	Implemented.	
	R3	Implemented.	
	R4	Requires further analysis.	✓
City of San Bruno	R1	Will be implemented. (No response to February 2019 follow-up letter from Grand Jury requesting an update.)	✓
	R2	Will be implemented. (No response to February 2019 follow-up letter from Grand Jury requesting an update.)	✓
	R3	Will be implemented. (No response to February 2019 follow-up letter from Grand Jury requesting an update.)	✓
	R4	Will not be implemented.	
City of San Carlos	R1	Implemented	
	R2	Will be implemented.	✓
	R3	Implemented.	
	R4	Requires further analysis.	✓
City of San Mateo	R1	Implemented.	
	R2	Implemented.	
	R3	Implemented.	
	R4	Implemented.	

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP 2019/20
City of South San Francisco	R1	Implemented.	
	R2	Will not be implemented.	
	R3	Will not be implemented.	
	R4	Will be implemented.	✓
Town of Woodside	R1	Will be implemented in March 2019.	✓
	R2	Will be implemented in March 2019.	✓
	R3	Will be implemented in Spring 2019.	✓
	R4	Will be implemented in Spring 2019.	✓

**South Bayside Waste Management Authority Board:  
Stakeholder Satisfaction with a Board of Election Officials**

The 2017-2018 San Mateo County Civil Grand Jury recommends that the SBWMA Board of Directors do the following:

- R1. Adopt policies and procedures to ensure that annual agency reports and annual financial reports are posted for public availability with links to provide access to such information from menus on the website front page by December 31, 2018.
- R2. Post all historical annual agency reports and financial reports to the "Budget & Annual Reports" page of the SBWMA website for public availability by December 31, 2018.

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP 2019/20
South Bayside Waste Management Authority Board	R1	Implemented	
	R2	Implemented	

**APPENDIX B: SUMMARY OF REMAINING UNRESOLVED RESPONSES TO THE 2016-2017  
SAN MATEO COUNTY CIVIL GRAND JURY FINAL REPORTS**

<b><i>A Delicate Balance: Privacy vs. Protection</i></b>			
<p>R3. In addition to providing a conspicuous link to usage and privacy policies on operator websites (as required by law for Automated License Plate Readers (ALPRs)), all law enforcement agencies in the County should create an easily accessible and simply written information webpage by December 31, 2017, which lists the types of surveillance tools (such as ALPRs) and investigative tools (such as ShotSpotter and body worn cameras) utilized by the agency. At a minimum, such a webpage shall include these details about each tool:</p> <ul style="list-style-type: none"> <li>• What is the use and purpose of the technology, such as assisting in ongoing criminal investigations, locating missing children, or locating stolen vehicles</li> <li>• Who is authorized to collect or access the data collected</li> <li>• How the system is monitored to ensure that the data are secure</li> <li>• Who owns the surveillance technology</li> <li>• What measures were taken to ensure the accuracy of the data</li> <li>• How long the data will be retained</li> </ul>			
<b>RESPONDING AGENCY</b>	<b>APPLICABLE RECOMMENDATION</b>	<b>RESPONSE</b>	<b>FOLLOW UP 2019/20</b>
<b>San Mateo County Sheriff</b>	R1	Will not be implemented.	
<b>Town of Colma</b>	R1	Will not be implemented.	
<b>City of Foster City</b>	R1	Implemented.	
<b>City of Pacifica</b>	R1	Implemented.	

<b><i>Acquisition and Deployment of Information Technology Resources by the County of San Mateo</i></b>			
<p>R1. The County Manager’s Office and Information Services Department shall:</p> <ul style="list-style-type: none"> <li>• Centralize the budgeting, cost-incurrence, personnel, operations, and responsibilities for backbone infrastructure and general-purpose hardware support not managed by user departments and <i>all</i> software support (including nonstandard, special mission applications) within the Information Services Department;</li> <li>• Discontinue actual charging of services to user departments and replace with a memorandum-charging system to mimic the current cross-charging method for continued grant reimbursement;</li> <li>• Continue inclusion of costs for supplies, capital, and leasing of hardware and software in departments using them, as is currently done.</li> </ul> <p>R2: The Information Services Department shall schedule replacement of the existing cross-charging method with the memorandum charging system for July 2018.</p> <p>R3: The Information Services Department shall assume single-point responsibility and accountability for all software security compliance throughout the County.</p>			
<b>RESPONDING AGENCY</b>	<b>APPLICABLE RECOMMENDATION</b>	<b>RESPONSE</b>	<b>FOLLOW UP 2019/20</b>
<b>San Mateo County Board of Supervisors</b>	R1	Implemented	
	R2	Implemented.	
	R3	Will not be implemented.	



**Animal Care and Control in San Mateo County**

- R1. The County shall issue a request for proposals or a request for qualifications for animal control services in preparation for the end of the existing agreement term (July 2020) in an effort to bring transparency and competitive bidding to the process.
- R3. The County shall perform, at a minimum, annual facility and vehicle inspections to ensure a safe and healthy environment for the animals in the County's care and the staff that take care of them.
- R4. The County shall execute routine third-party performance audits on the contracted services at logical intervals, e.g. midway through a 5-year agreement term, to ensure efficient and effective service.
- R5. Upon completion of construction of the shelter, the County shall address the new facility maintenance and repair responsibilities in a new service agreement upon completion of construction of the shelter; some of these responsibilities shall be delegated to the contractor based on simplicity, urgency and specialization of the repair.

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP 2019/20
<b>San Mateo County Board of Supervisors</b>	R1	Will be implemented in FY 19-20	✓
	R3	Will be implemented after Nov. 2019	✓
	R4	Will be implemented after July 2019	✓
	R5	Implemented	

**Can We See You Now? San Mateo County's Independent Special Districts  
Website Transparency Update**

- R1. The eight independent special districts' websites that do not conform to the current standards set by the Special District Leadership Foundation's transparency checklist shall conform to the accepted criteria on or before December 31, 2017.
- R2. All independent special districts shall take the necessary steps to maintain their websites using the current standards set by the Special District Leadership Foundation so as to provide pertinent information to their constituents and to continue to qualify for the *District Transparency Certificate of Excellence*.

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP 2019/20
<b>Colma Fire Protection District</b>	R1	Will be implemented.	✓
	R2	Will be implemented.	✓
<b>East Palo Alto Sanitary District</b>	R1	Will be implemented.	✓
	R2	Will be implemented.	✓

**English Is Not Our Only Language: Are Local Law Enforcement Agencies Providing Multilingual Access to Outreach Programs**

R1. All law enforcement agencies in San Mateo County shall modify their websites by including multilingual translation capability to potentially increase access and participation in outreach programs by non-English speaking residents by December 31, 2017.

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP 2019/20
Atherton Town Council	R1	Implemented.	
Belmont City Council	R1	Implemented.	
Burlingame City Council	R1	Implemented.	
East Palo Alto City Council	R1	Implemented.	
Foster City City Council	R1	Implemented.	
Half Moon Bay City Council	R1	Implemented.	
Portola Valley Town Council	R1	Implemented.	
San Carlos City Council	R1	Implemented.	
Woodside Town Council	R1	Implemented.	

**How Have San Mateo County Public Schools Responded to the Epinephrine Auto-Injector Law, SB 1266?**

[To the San Mateo County Schools Insurance Group]:

- R1. The Grand Jury recommends that the San Mateo County Schools Insurance Group implement policies and procedures to confirm whether the school district offices are offering the annual training programs required by SB 1266.
- R2. The Grand Jury recommends that the San Mateo County Schools Insurance Group update and redistribute its packet of information describing the content and intent of SB 1266 and the required training program.

[To each school district]:

- R3. Each school district shall ensure that each of its schools keeps Pens in clearly labeled boxes that are in plain sight in the school's main administrative office.
- R4. Each school district shall ensure that each of its schools posts a list of faculty and staff who have completed the annual training program required by SB 1266. Such list should be posted in or near the school's Pens.
- R5. Each school district shall ensure that the packet of information provided by the San Mateo County Schools Insurance Group describing the content and intent of SB 1266 and the required training program, as may be updated from time to time, is available as a resource in each of its schools.
- R6. Each school district shall ensure that schools develop policies and procedures for the possible emergency use of Pens at off-site or evening on-site school supervised events and for the accommodation of students with known food or other allergies (i.e., designated areas in the cafeteria, allergen-aware classrooms, etc.)

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP 2019/20
San Mateo County Insurance Group	R2	Implemented	
Bayshore Elementary School District	R4	Implemented	
	R5	Implemented	
Belmont-Redwood Shores School District	R3	Implemented	
	R4	Implemented	
	R5	Implemented	
	R6	Implemented	
Brisbane School District	R6	Implemented	
Burlingame School District	R6	Implemented	
Hillsborough City School District	R4	Implemented	
	R5	Implemented	
Jefferson Elementary School District	R3	Implemented	
	R4	Implemented	
	R5	Implemented	
La Honda-Pescadero Unified School District	R4	Will be implemented	✓
	R5	Will be implemented	✓
Las Lomas School District	R4	Implemented	
Menlo Park City School District	R4	Implemented	
	R5	Implemented	
Millbrae School District	R4	Implemented	
	R5	Implemented	
Portola Valley School District	R5	Implemented	
Redwood City School District	R4	Implemented	
	R5	Implemented	
	R6	Implemented	
San Carlos School District	R3	Implemented	
	R4	Implemented	
	R5	Implemented	
San Mateo-Foster City School District	R4	Implemented	
	R5	Implemented	

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP 2019/20
Sequoia Union School District	R3	Implemented	
	R4	Implemented	
	R5	Implemented	
	R6	Implemented	

**Should Tire-Derived Products Be Used On Athletic Fields in San Mateo County Schools?**

The San Mateo County Grand Jury recommends that each San Mateo County School District shall:

- R1. Produce written guidelines for the decision-making process involved in field installation and replacement, which shall include the following:
  - R1a: Consider the uncertainty regarding the safety of tire-derived products used on school fields, particularly crumb rubber.
  - R1b: Evaluate and make their decisions on policy development and field replacements based on current scientific evidence regarding the use of crumb rubber on athletic fields as it becomes available, whether or not the EPA report is complete.
  - R1c: Undertake measures to increase community involvement during the field replacement evaluation process, including discussion regarding potential concerns about the safety of crumb rubber or other tire-derived products. This could be similar to the 2013 City of San Mateo study regarding the possibility of using artificial turf on its fields, which included extensive public outreach for comment, using post cards, email, website comment, community workshops and capture surveys to solicit and collect public input.
- R2. Consider (among other factors) the following when selecting materials for their athletic fields and playgrounds:
  - 1. Safety to humans and animals
  - 2. Suitability based upon the location's intended use and frequency of use
  - 3. Cost (of installation and lifecycle requirements) and manufacturer warranty.
- R3. Impose a moratorium on the utilization of artificial turf with crumb rubber infill until the Environmental Protection Agency concludes its study or until all the policies listed above have been implemented.

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP 2019/20
<b>Bayshore Elementary School District</b>	R1	Will not be implemented	
<b>Burlingame School District</b>	R1	Will be implemented / Requires further analysis	✓
<b>Jefferson Elementary School District</b>	R1	Requires further analysis.	✓
	R2	Will be implemented	✓
	R3	Will be implemented	✓
	R2	Will be implemented	✓
	R3	Will be implemented	✓
<b>La Honda-Pescadero Unified School District</b>	R1	Will be implemented	✓
	R2	Will be implemented	✓
	R3	Will be implemented	✓
<b>Los Lomas Elementary School District</b>	R1	Will be implemented	✓
	R2	Will be implemented	✓
	R3	Will be implemented	✓
<b>Menlo Park City School District</b>	R1	Will be implemented	✓
	R2	Will be implemented	✓
	R3	Will be implemented	✓
<b>Millbrae School District</b>	R1	Will be implemented	✓
	R2	Will be implemented	✓
	R3	Will be implemented	✓
<b>Pacifica School District</b>	R1	Will be implemented	✓
	R2	Will be implemented	✓
	R3	Will not be implemented	

<b>RESPONDING AGENCY</b>	<b>APPLICABLE RECOMMENDATION</b>	<b>RESPONSE</b>	<b>FOLLOW UP 2019/20</b>
<b>Portola Valley School District</b>	R1	Will be implemented	✓
	R2	Will be implemented	✓
	R3	Will be implemented	✓
<b>Ravenswood City School District</b>	R1	Will be implemented	✓
	R2	Implemented	
	R3	Will be implemented	✓
<b>Redwood City School District</b>	R1	Will be implemented	✓
	R2	Will be implemented	✓
	R3	Will be implemented	✓
<b>San Bruno Park School District</b>	R1	Will not be implemented	
	R2	Will be implemented	✓
	R3	Requires further analysis.	✓
<b>San Mateo Union High School District</b>	R1	Requires further analysis.	✓
	R3	Requires further analysis.	✓
<b>San Mateo-Foster City School District</b>	R1	Will not be implemented	
	R3	Will not be implemented	
<b>Sequoia Union High School District</b>	R1	Will not be implemented	
<b>South San Francisco Unified School District</b>	R1	Will be implemented	✓
	R2	Will be implemented	✓
	R3	Will be implemented	✓
<b>Woodside Elementary School District</b>	R1	Will be implemented	✓
	R2	Will be implemented	✓
	R3	Will be implemented	✓

**APPENDIX C: SUMMARY OF FOLLOW-UP ON REMAINING UNRESOLVED RESPONSES TO THE 2015-2016 SAN MATEO COUNTY CIVIL GRAND JURY FINAL REPORTS**

<b><i>Body Cameras—The Reel Truth</i></b>			
<p>R3. The Grand Jury recommends that the police departments of those cities, towns, and the Broadmoor Police Protection District that have not adopted body-worn cameras implement a body-worn camera system as soon as practicable but, in any event, no later than October 31, 2017.</p>			
<b>RESPONDING AGENCY</b>	<b>APPLICABLE RECOMMENDATION</b>	<b>RESPONSE</b>	<b>FOLLOW UP 2019/20</b>
<b>Town of Colma</b>	R3	Requires further analysis.	✓

<b><i>Innocent Until Proven Guilty? Bail Practices In San Mateo County</i></b>			
<p>R1. The San Mateo County Board of Supervisors should direct the Probation Department Pretrial Services to evaluate and recommend various alternatives to pretrial incarceration, including but not limited to evidence-based risk-assessment tools and electronic monitoring.</p> <ul style="list-style-type: none"> <li>• The Probation Department should present its evaluation and recommendations to the Board of Supervisors by June 30, 2017.</li> <li>• As part of the evaluation and recommendation process, the Probation Department should receive input from members of the San Mateo County Community Corrections Partnership (CCP), as well as from criminal trial judges.</li> </ul>			
<b>RESPONDING AGENCY</b>	<b>APPLICABLE RECOMMENDATION</b>	<b>RESPONSE</b>	<b>FOLLOW UP 2019/20</b>
<b>Board of Supervisors</b>	R1	Requires further analysis due to regulatory changes. Will report to Community Connections Partnership after Dec. 2019	✓

<b><i>Juvenile Services Division's Youth Detention Facilities: Underutilized And Overpriced?</i></b>			
<p>R3. If, as a result of the Controller's analysis, it is determined that operating costs should be reduced and/or that the facilities should be better utilized, then the Board of Supervisors should direct the County Manager and Chief Probation Officer to develop a plan to meet such cost-reduction goals and/or alternative-use goals by June 30, 2017, and to provide quarterly status reports of their progress to the Board at a public meeting.</p>			
<b>RESPONDING AGENCY</b>	<b>APPLICABLE RECOMMENDATION</b>	<b>RESPONSE</b>	<b>FOLLOW UP 2019/20</b>
<b>Board of Supervisors</b>	R3	Requires further analysis.	✓

**San Mateo County's Cottage Industry Of Sanitary Districts**

The Grand Jury recommends that the Boards of Bayshore Sanitary District, East Palo Alto Sanitary District, Granada Community Services District, Montara Water & Sanitary District, West Bay Sanitary District, and Westborough Water District do the following:

- R5. Improve information visibility on their website, including key system characteristics, rates and rate history, sewer system management plans, sanitary sewer overflows, and board member compensation. Key system characteristics would include population served, number of connections, number of miles of pipe (gravity, forced main), number of pump stations and number of pumps, average dry weather flow, and average wet weather flow. Ensure all information is up to date. Refresh website by September 30, 2016.
- R8. Mail notices to ratepayers at least annually with an explanation of the dollar amount of sewer service charges being billed and the rationale. Provide information on the prior five years' rates for comparison purposes. Display the portion of the rate that is related to collection activities, and the portion allocated to treatment. Mail notices approximately 30 days before the mailing of the property tax bills. Initiate mailings by November 2016.
- R9. Notify ratepayers annually of elected nature of Board, role and compensation of Board members, and process for becoming a candidate. Encourage active participation by ratepayers. This notification may be included in the mailing that explains the rationale for rates. Initiate notification by November 2016.

The Grand Jury recommends that the San Mateo County Local Agency Formation Commission do the following:

- R18. Initiate a service review of the Westborough Water District to examine whether its operations might be more efficiently and effectively run if they were consolidated with another entity's operations.

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP 2019/20
Local Agency Formation Commission	R18	Will be implemented by July 1, 2019.	✓
Granada Community Services District	R5	Implemented	
	R8	Will be implemented in September 2019.	✓
	R9	Implemented.	

**The San Mateo County Harbor District:  
The Price Of Dysfunction Is Rising**

- R1. The County Board of Supervisors will initiate an independent study of alternative future scenarios for the Harbor District so that they may make an informed decision regarding the future of the Harbor District.
  - This study should evaluate possible outcomes including dissolving the Harbor District and naming the County as the successor agency. Other outcomes to be considered include returning the Oyster Point Marina to South San Francisco and naming the County as the successor to Pillar Point Harbor only. The Board should seek input on other potential scenarios in a public process.
  - The study should look beyond any near-term performance improvements given the long history of Harbor District dysfunction.
  - The study should be initiated by September 30, 2016. The study should be completed within six months, and the results should be reviewed in a public meeting.

RESPONDING AGENCY	APPLICABLE RECOMMENDATION	RESPONSE	FOLLOW UP 2019/20
County of San Mateo Board of Supervisors	R1	Will not be implemented	

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