

Response to the Grand Jury 2020-2022 Continuity Report
Barbara Balen, 2022 TUD board president

Dear Ms. Krieg;

Thank you for sending the TUD board and General Manager the 2020-2022 Continuity Report. Although it was not specified whether an updated response was requested, I would like take this opportunity as part of the public record to share the steps TUD is taking in the wake of 2021 Grand Jury Report to remediate some of the concerns that TUD had previously dismissed. TUD is committed to transparency and the tone now being set under new leadership reflects this. We also recognize that making these course corrections is an ongoing process. Please review the following progress we are making in this regard.

As the Continuity Report states in the Summary (p22):

“The General Manager and three of the five members of the Board of Directors who were in place during the Grand Jury’s investigation are no longer serving in those capacities. This includes the director, referred to as “Director B” in the Grand Jury report, who was the subject of the conflict of interest allegations”.

To recap: The 2021 Grand Jury listed 4 findings with recommendations. Accordingly, the respondent is required to report out on the level of action to be taken (color coded green, blue, orange, purple, chart, p.7). TUD, as the respondent, categorically responded in the purple zone: “The recommendation is not warranted or is not reasonable”

As noted by the Grand Jury in the above Summary paragraph, TUD has had a board and GM turnover. This action in itself has positioned TUD towards improving communication and inclusiveness. I would like to assert that we are moving these findings out of the purple zone and into the upper color zones of further consideration. For example:

R1: TUD will be embarking on a rate study and we will be working with our water users to make it as fair and transparent as possible.

R2: TUD has made enormous strides in recognizing the importance of delivering reclaimed water to our agricultural community and not take water away from anyone’s livelihood for recreational use. As a course correction we are making sure some of these fuzzy areas are cleaned up.

R3: The TUD board is being very diligent in recusing themselves, again with the turnover in board make up, some of this potential conflict of interest has been resolved.

R4: I can say TUD moved this item from Purple to Green. TUD has reviewed its membership into organizations and dropped any group that was not open to the public. For example, TUD is no longer a member of the Tuolumne County Business Council.

In the future, as TUD continues with relationship building, partnerships and transparency, we can view our work with the Grand Jury more as team. Again, we believe there is always room for improvement and I think our above progress demonstrates that.

Thank you and again, please include this additional information as part of the public record.

Best regards,

Barbara Balen, 2022 president TUD

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