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September 24, 2024

Honorable Alesia Jones
Presiding Judge of the Superior Court
Solano Superior Court
600 Union Ave
Fairfield CA 94533

REGARDING: County Board of Supervisors response to FY2023-2024 Civil Grand Jury Report, "Solano County Public Cemetery Districts."

Dear Honorable Judge Jones,

The Solano County Board of Supervisors, under Penal Code sections 933 and 933.05, is responding to the following findings and recommendations contained in the FY2023/24 Civil Grand Jury Report entitled "Solano County Public Cemetery Districts."

Finding #1

The (Solano) County Board of Supervisors is not filling Cemetery Board positions in a timely manner, risking less than optimal group decision-making by Cemetery Boards.

Response to Finding #1

Board of Supervisors: The Board of Supervisors (Board) partially disagrees with this finding. Except for one currently vacant Cemetery Board position for which no applications have been received, the Board takes action to appoint applicants in a timely manner.

Recommendation #1

Solano County Board of Supervisors adhere to the 90-day deadline for filling Cemetery Board positions, per Government Code section 1779.

Response to Recommendation #1

Board of Supervisors: The recommendation has been implemented. The Solano County Clerk of the Board (COTB) posts all expected Boards and Commissions vacancies annually to the Solano County website (every December 31), according to the requirements of Government Code section 54972, also known as the Maddy Act, supplies Board members with upcoming vacancies every 60 days. Additionally, when the COTB is notified of an unexpected vacancy, per the Maddy Act, a notice is posted to the website and the appropriate district office/department is notified. Regarding the 90-day deadline for filling Cemetery Board positions, the Board has consistently made appointments within the timeframe, according to Government Code section 1779 except for one current vacant Cemetery Board position that has been listed on the Solano County website for more than two (2) years, with no applications.

Finding #2

One District Board member is not a registered voter in the represented District, conflicting with the purpose of Special District governance to ensure the assigned community service is operated with local control.

Response to Finding #2

Board of Supervisors: The Board wholly disagrees with the finding inasmuch as the County has no evidence that District Board members are not registered voters within the represented District.

Recommendation #2

Solano County Board of Supervisors ensure that Cemetery District Board Members are registered to vote within the district in which they serve, as required by Health and Safety Code section 9022 subsection (a).

Response to Recommendation #2

Board of Supervisors: The recommendation will not be implemented because it is not warranted or is not reasonable. According to records held by the COTB, all members of the Cemetery Boards are residents and eligible members in their districts. Furthermore, the COTB confirmed in a phone call with staff at the Cemetery District, that all members live within their district boundaries and are registered to vote.

Finding #3

Required Endowment Care signage was either not visible or incorrectly placed at some cemeteries. This constitutes noncompliance with requirements for posting Endowment Care signage.

Response to Finding #3

Board of Supervisors: The Board agrees with the finding.

Recommendation #3

All Cemetery Districts ensure their Endowment Care signage complies with Health and Safety Code section 8741.

Response to Recommendation #3

Board of Supervisors: The recommendation will not be implemented because it is not warranted or is not reasonable. The Board does not exercise oversight or authority to ensure Cemetery District signage complies with Health and Safety Code, therefore, any implementation of this Recommendation can only be addressed by the Cemetery Districts themselves.

On behalf of the Solano County Board of Supervisors, we would like to thank the Solano County Civil Grand Jury for their time and attention to County processes and operations. Thank you for the opportunity to address your findings and recommendations – and for your work and contributions to the overall success of Solano County in services to our residents.

Sincerely,



Mitch Mashburn
District 5 Supervisor
Chair, Solano County Board of Supervisors

cc: Cheryl Clower, Administrative Assistant, Solano County Civil Grand Jury