



ESTABLISHED 1850

CITY OF VACAVILLE

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Councilmember

July 26, 2020

Terry Riddle, Foreperson
2019-2020 Solano County Grand Jury
Hall of Justice
600 Union Avenue
Fairfield, CA 94533

RECEIVED

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SOLANO COUNTY
GRAND JURY

Dear Foreperson Riddle:

Please accept this letter as the City of Vacaville's response to the Grand Jury 2019-2020 Report, Registry of Public Agencies Filing Process.

FINDING 1 – Agencies' completion and filing of the Statement of Facts Roster of Public Agencies Form in Solano County, in many instances, are inconsistent, incomplete, inaccurate, and out-of-compliance with Government Code section 53051. Review of 111 of the most current Forms (regardless of age) on file with the County revealed the following:

- a) Seventy-two agencies had a single Form on file, many dating back three decades. This represented 65% of the sampled Forms.
- b) Sixty-eight agencies' Forms were aged nine years or more, representing 61% of the sampled Forms.
- c) Thirteen Forms (12%) listed a P.O. Box as the official mailing address despite filing instructions indicating that a street address must be given. **Update NOTE:** 12/2019 updated instructions now state that a P.O. Box is acceptable.
- d) The actual legal name of the entity was inconsistent in nine instances (8%).
- e) Thirty-eight Forms (34%) did not meet the regulatory reporting timeframe.
- f) Accuracy of board membership could not be independently verified on seventy-one Forms (64%).
- g) The current status of the agency could not be validated in forty-eight instances (43%).

RECOMMENDATION 1 – Approving legislative bodies in Solano County should provide guidance and training to ensure the accurate completion and filing of the required Forms. Consideration can be given to the following points:

- a) Suggest that governing bodies of public agencies begin to immediately use the Registry of Public Agencies Form (SF-405) available on the Secretary of State's website (See Appendix A).

Process Improvement – County Clerk’s Office devise and implement a process for agencies to complete and save the SF-405 Form and send it to a specified County email address for filing. Encourage the County Clerk’s office to work with the Secretary of State Special Filing Unit to establish a mechanism to electronically transmit the Forms to the State. This process will have minimal impact on the County Clerk’s Office and would ensure that County and State records are consistent.

b) Upon commencement of the agency’s legal existence, the approving legislative body direct the newly formed agency’s clerk and/or secretary to complete the initial filing within the 70-day requirement.

City will add to procedural manuals and to language forming new legislative bodies.

c) Ensure the training provided by the approving legislative body directs the newly formed agencies to file subsequent updates within the required 10-day timeframe.

Response to Finding 1 and Recommendation 1–

City of Vacaville agrees with the finding and recommendation. The City Clerk has submitted updated Form SF-405s with the Secretary of State and Solano County Clerk’s office. The City Clerk has added to the procedural calendar for annual review and update the Registries utilizing the SF-405 Form. City will add to procedural manuals and to procedural language when forming new legislative bodies in the formation resolutions. Further, the City agrees that the Process Improvement would be beneficial and encourages implementation.

FINDING 2 – Comparative analysis of the most current Forms on file with the State to those on file with the County revealed 92 exceptions representing instances in which:

a) The County Form does not match the State Form.

b) The Form is on file with the County but not with the State.

c) There is no Form on file with the County but there is one on file with the State.

RECOMMENDATION 2a– Agency governing bodies ensure accurate and timely compliance by simultaneously filing updated forms to the County and State.

RECOMMENDATION 2b – If the agency submits its information electronically or by mail, a copy of the submission should be retained as a business record to prove compliance.

Response to Finding 2 and Recommendation 2–

City of Vacaville agrees with the finding and recommendation. The City has added to procedural manuals the requirements to file with the Secretary of State and the Solano County Clerk any changes in governing bodies by submittal of Form SF-405 within 10 days and in accordance with GC Section 53051(c) and will retain file copies of submitted Forms SF-405.

FINDING 3 – There is no comprehensive list of public agencies operating in Solano County that is accessible to residents.

RECOMMENDATION 3a –The County Board of Supervisors, Clerk of the Board, County Administrative Office, and local City Councils collaborate to compile an accurate listing of public agencies, boards, commissions, and committees within Solano County using the existing Online Local Appointment Database maintained by the County.

RECOMMENDATION 3b – The County Board of Supervisors, Clerk of the Board, County Administrative Office, and local City Councils review Appendix B and initiate steps to encourage agencies to make the appropriate corrections by filing missing Forms, filing updates, and reporting dissolved entities.

Response to Finding 3 and Recommendation 3–

City of Vacaville agrees with the finding and recommendation. The City will have the City Clerk create a log of public agencies to collaborate with the Solano County Clerk to compile an accurate listing of public agencies to compare forms that have been submitted to the County Clerk in accordance with Recommendation 3b.

FINDING 4 – There is currently no requirement for an agency to maintain a website, making it difficult to access current information online. However, since 2013 there has been a movement in the State to make information available and searchable online.

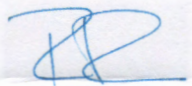
RECOMMENDATION 4 – Individual Solano County Agencies improve their transparency by establishing a website and keeping it current to benefit both agencies and citizens of the County.

Response to Finding 4 and Recommendation 4–

City of Vacaville agrees with the finding and recommendation. The City of Vacaville has had a website since 2005 and is happy to continue to make available beneficial information. By end of year, the City will determine the best placement for, and ensure that a listing of local public agencies that the City is responsible for is available on the website at www.cityofvacaville.com.

Thank you for the opportunity to respond to the Grand Jury's recommendations.

Sincerely,



Ron Rowlett
Mayor