



BRAD KILGER
City Manager

February 8, 2012

Paul Beeman
Presiding Judge
Superior Court of California
Hall of Justice
600 Union Avenue
Fairfield, CA 94533

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JUDGE PAUL L. BEEMAN
DEPARTMENT 1

Re: City of Benicia Response to Finding 1 and Recommendation 1 of the 2011-2012 Grand Jury Report Titled "City Treasurer Functional Review"

Dear Judge Beeman:

Pursuant to the provisions of Section 933 (b) of the California Penal Code, the governing body of any public agency subject to the Grand Jury's review authority must respond to recommendations and findings pertaining to matters under their control within sixty (60) days of receipt of such report. Therefore, the purpose of this letter is to comply with the aforementioned law and to advise you that after review of the 2010-2011 Solano County Grand Jury Report, the City Council and City Treasurer of the City of Benicia accept the Report.

The Grand Jury made the following finding and recommendation related to the City of Benicia:

Finding 1 – The City of Benicia Treasurer did not issue accounting reports required by California Government Code §41004 which states, "Regularly, at least once each month, the city treasurer shall submit to the city clerk a written report and accounting of all receipts, disbursements, and fund balances. He shall file a copy with the legislative body."

On September 20, 2011, the City of Benicia passed Ordinance 11-09. In part, the ordinance transferred all statutory requirements from the City Treasurer to other City officers and staff. Although the reporting requirement associated with California Government Code §41004 is no longer the responsibility of the Benicia City Treasurer, it is still a treasurer function that was not being performed.

Recommendation 1 – City of Benicia ensure that the monthly reporting requirements identified by California Government Code §41004 are performed."

City's Response: The City agrees. Although the Finance Director prepares accounting reports which are reviewed with the Finance Committee (which includes the City Treasurer) on a monthly basis, the monthly accounting reports should be more consistent with the provisions of

ELIZABETH PATTERSON, *Mayor*
Members of the City Council
TOM CAMPBELL, *Vice Mayor* . ALAN M. SCHWARTZMAN . MARK C. HUGHES . CHRISTINA STRAWBRIDGE

BRAD KILGER, *City Manager*
ROBERT LANGSTON, *City Treasurer*
LISA WOLFE, *City Clerk*


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Government Code Section 41004. The Finance Department staff is currently working with the City's financial software provider and the Finance Committee to develop monthly accounting reports that are consistent with the provisions of Section 41004 of the California Government Code. This should be completed by June 30, 2012.

This response, which was drafted by the City Treasurer and staff, was approved by the City Council at their meeting of February 7, 2012.

Please let me know if you have any further questions.

Sincerely,


Brad Kilger
City Manager

cc: City Treasurer
Finance Committee
City Attorney
Finance Director
Wayne Goodman, Foreperson 2011-2012 Solano County Grand Jury