

CITY COUNCIL

Lori D. Wilson, Mayor
Wanda Williams, Mayor Pro-Tem
Anthony Adams
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CITY COUNCIL MEETING

First and Third Tuesday
Every Month

CITY OF SUISUN CITY

701 Civic Center Blvd.
Suisun City, California 94585
Incorporated October 9, 1868

June 16, 2020

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

RE: 2019-2020 Grand Jury Report Entitled: Registry of Public Agencies Filing Process

Dear Foreperson Riddle:

The City of Suisun City wishes to thank the members of the Solano County Grand Jury for their report and bringing this to our attention. Staff has reviewed the recommendations which are applicable to the City of Suisun City, and submitted the response to the City Council for approval.

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%).

DEPARTMENTS: AREA CODE (707)

ADMINISTRATION 421-7300 ■ DEVELOPMENT SERVICES 421-7335 ■ BUILDING 421-7310 ■ FINANCE 421-7320
FIRE 425-9133 ■ RECREATION & COMMUNITY SERVICES 421-7200 ■ POLICE 421-7373 ■ PUBLIC WORKS 421-7340
SUCCESSOR AGENCY 421-7309 FAX 421-7366

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.

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 Recommendation 1 – Staff will begin to immediately use the Registry of Public Agencies Form (SF-405) available on the Secretary of State's website and develop procedures and training to ensure initial filings and subsequent updates are filed within the required timeframe. Solano County Clerk's office to provide guidance to City Clerk to ensure filing of required form with the County Clerk's office

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 Recommendation 2 – Staff will ensure accurate and timely compliance by filing initial and updated forms to the State and County. A copy of all submissions will be retained in the City Clerk's office.

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 Recommendation 3 – Staff reviewed Appendix B and identified agencies not listed. Staff will ensure accurate and timely compliance by filing initial and updated forms to the State and County. A copy of all submissions will be retained in the City Clerk's office.

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 Recommendation 4 – Suisun City maintains a website and is updated with required filings. A separate page will be created for each legal entity within the Suisun City website.

I hope this response adequately addresses the findings and recommendations made by the Grand Jury. Please feel free to contact me at lwilson@suisun.com if you have any questions.

Best Regards,



Lori D. Wilson
Mayor

cc: City Council