

JIM ERICKSON
City Manager

September 28, 2004

Peter B. Foor
Presiding Judge of the Superior Court
c/o Superior Court Executive Office/Clerk of the Court
600 Union Avenue
Fairfield, CA 94533

Dear Judge Foor:

Attached please find the City of Benicia's responses to the 2003-2004 Solano County Grand Jury Final Report. Responses are organized as follows:

1. Responses to Findings #1 - #5 from pages 3 - 4 of the report, regarding the City's budget.
2. Response to Finding #1 noted on page 24 of the report, regarding the Benicia Police Department.
3. Response to Finding #3, page 93 of the report, regarding Homeland Security
4. Response to Finding #1 and #2, page 92 of the report, regarding an Emergency Operating Plan for the County and each City.

Should you have additional questions or need further information regarding any of the above-noted responses, please contact me at (707) 746-4210.

Sincerely,


Jim Erickson
City Manager



Finance Department
MEMORANDUM

Date: September 7, 2004
To: Jim Erickson, City Manager
From: Robert Sousa, Finance Director
Re: Response to Grand Jury

Recommendation #1. The City of Benicia develops a 5-Year Capital Improvement Program that is presented separately under each individual department within the Bi-Annual Budget. The recommendation to print this document under a separate cover is understandable and will be considered by staff during the bi-annual process scheduled to begin in January 2005.

Recommendation #2. The City Council has adopted a Budget Stabilization Reserve Resolution that accomplishes the goal of preserving the City's budgetary health. The adoption of an ordinance, as opposed to a resolution, would not enhance to goals of the City Council beyond that which has already been accomplished.

Recommendation #3. The City Council has placed a great deal of importance on taking a conservative posture when it comes to the budgeting process. Any financial items that possess substantial risk of occurring or not occurring, whichever the case may be, are isolated and considered separately. For example, during the last bi-annual budget process, the City Council removed \$1.5 million in "at-risk" State funding and proceeded to initiate deeper city-wide expenditure cutbacks. When the uncertainty surrounding State funding was removed and the funding was assured, the City Council approved the budgetary recognition of the revenues and reinstated certain capital improvement projects that had been deferred.

Recommendation #4. The City Council recently approved an lump-sum payment to CalPERS that will generate expenditure savings during the current fiscal year. Part of the savings is being set-aside in a PERS Stabilization Reserve to be applied to future fiscal years. This stabilization reserve will be used in the future to assist in mitigating large rate fluctuations, similar to those that are being experienced now.

Recommendation #5. The City utilizes a Long Range Budget Model to establish and recognize budgetary trends. During the annual review of the bi-annual budget, City Staff update the model using current revenue and expenditure information and then proceed to recommend budget adjustments to the City Council.



Police Department
MEMORANDUM

Date: September 3, 2004
To: Jim Erickson, City Manager
From: Jim Trimble, Chief of Police
Re: Response to 2003 – 2004 Grand Jury Report

Finding #1

Holding cells and booking area are old but adequate. The Benicia facility is located in an old school. There is no Sally Port (enclosed secure parking area for transferring prisoners from a vehicle to the detention facility) and no separate toilet facilities for prisoners. The building is seismically unsafe. The 2003 bond issue on the ballot to replace/upgrade the facility failed.

Recommendation #1

The city of Benicia should explore alternatives to correct deficiencies.

Response #1

After the bond measure failed the city immediately began to address the identified seismic and safety needs of the department. Utilizing funds that had been set aside from the police building project, city staff began working with an architectural firm to draft plans to resolve both issues.

The existing facility will have the 911 Center seismically retrofitted and a new roof installed over the entire police department. The prisoner holding cells, as well as the entire booking area will be remodeled, including the addition of a "prisoner-only" bathroom. A secure Sally Port on the east side of the police department is also part of the retrofit program. It is anticipated that the entire project will be completed by June 2005.

Finding #3

If an emergency incident should escalate beyond the agency's capacity and the need to request mutual aid from another agency should be necessary, the current communication systems would hamper responsibilities, as each agency's communication system operates independently with no coordination and little interoperability among police, fire and medical agencies. This finding was part of the 2002-2003 Solano County Grand Jury Report. It appears that no progress has taken place to rectify this problem.

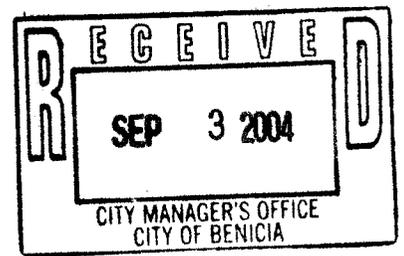
Recommendation #3

The U.S. Department of Homeland Security has made it clear that funding is available for a variety of needs at the local level, but the process to determine those needs is slow and difficult. As a temporary solution to the Countywide communication system, the county estimates that \$3,000,000 would provide a system that would link agencies appropriately when significant multi-response is required. Rather than each city or the county pursuing the available funds, all agencies should jointly ascertain what U.S. Department of Homeland Security is requiring and whether those needs can be met for this project. With the County Office of Emergency Services acting as the lead agency, they could develop a grant application that represents all of the agencies in Solano County.

Response #3

The City of Benicia along with its police and fire departments is actively involved in the Joint Solano Emergency Communications Activities (SECA) committee. This committee is dedicated to resolving the radio interoperability issues currently facing Solano County as outlined in the Grand Jury report. As of September 1, 2004, all participating jurisdictions in Solano County have had the Memorandum of Understanding (MOU) ratified and signed by their governing body. Significant progress should be made in the following year to resolve radio interoperability.

This recommendation is being implemented as recommended. The County Office of Emergency Services (OES) is taking the lead in researching and applying for U.S. Department of Homeland Security grants to fund the SECA radio interoperability solutions. As of September 1, 2004, no grant monies have been received as OES is still researching various grant possibilities.



Memo

To: City Manager
From: Fire Chief ^{KW}
Date: September 3, 2004
Subject: RESPONSE TO GRAND JURY REPORT

Response to Finding #1:

The City of Benicia is currently updating its' Emergency Operating Plan (EOP) to address consistency with the County of Solano's EOP. The City is preparing a new and updated EOP that will use Solano County's EOP as its' model. The City will address the specific needs of Benicia, while ensuring that the City plan is consistent with the County Plan.

In addition, the City trains staff and elected officials on the use of the City's EOP. The City also works with Solano County and the California Office of Emergency Services to ensure the City's EOP is current with mandates from the U.S. Department of Homeland Security.

Response to Finding #2:

The authority to activate the City of Benicia's Emergency Operating Center (EOC) is covered in the City's EOP. It is the responsibility of the City Manager or the City Council to proclaim a local emergency. The City's EOP provides for overall management and support for any emergency. It directs the Director of Emergency Services (DES), the City Manager or his or her alternate, to activate the City's Emergency Operations Center located at Fire Station #11 when needed. The EOP gives authority to and direction of all EOC staff positions. The EOP is clear on the responsibilities of every position in the EOC, which gives clear direction and authority to staff on decisions regarding response, material and supplies, and the request of mutual aid.

The City trains and drills with staff on their roles within the EOC.