



James P. Spering, Mayor
Pedro "Pete" M. Sanchez, Mayor Pro-Tem
Jane Day
Sam Derting
Michael A. Segala

First and Third Tuesday
Every Month

CITY OF SUISUN CITY

701 Civic Center Blvd.
Suisun City, California 94585

April 5, 2005

Incorporated October 9, 1868

Honorable Peter B. Foor
Presiding Judge of the Superior Court
Solano County Superior Court
600 Union Avenue
Fairfield, CA 94533

Dear Judge Foor,

On behalf of the City, Mayor Spering, the Suisun City Council, and the Chief of Police, I am responding to the Grand Jury's report of March 1, 2005 regarding towing policies and procedures.

Regarding Finding #6 where the report states "The City of Suisun City Police Department does not have a written policy determining when vehicles should be towed." The recommendation of the Grand Jury is for the City Council to adopt towing policies and procedures.

The City disagrees with your finding and recommendation. Policies which direct the operation of a specific department are generally the responsibility of that department head, in this case the Chief of Police. It is that department head's responsibility to ensure that the law is properly followed. As indicated in the report, the Police Department properly follows the provisions of the California Vehicle Code and City Municipal Code.

The Police Chief will review the policies of the agencies you believe have addressed the salient issues of your report, and revise our policies if needed. We will, of course, continue to follow the law in this area.

Regarding Recommendation #10: The report cites California Vehicle Code Section 40215 (4) (A) regarding the use of independent hearing officers for parking enforcement and recommends that all agencies appoint independent hearing officers to rule on towing and storage disputes.

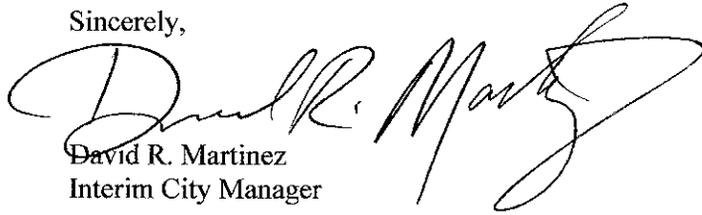
The City agrees with your finding as it relates to Suisun City, however the recommendation will not be implemented because it is not warranted and represents an additional cost to the City, without a funding mechanism. The Vehicle Code section cited refers only to contesting parking violations and does not reference tows. If this requirement were for tows and existed in state law, it would constitute a legislative mandate and provide state funding to implement that mandate.

DEPARTMENTS: AREA CODE (707)

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

We appreciate the Grand Jury's attention to this matter and we will look for opportunities from the data provided to improve our level of service within existing fiscal constraints.

Sincerely,

A handwritten signature in black ink, appearing to read "David R. Martinez". The signature is fluid and cursive, with a large, sweeping initial "D".

David R. Martinez
Interim City Manager

DRM/cil

CC: Mayor Spering
City Councilmembers