



Office of the Mayor  
ELIZABETH PATTERSON

**RECEIVED**  
Clerk of the Solano Superior Court

June 14, 2011

JUN 29 2011

BY:   
DEPUTY CLERK

D. Scott Daniels  
Presiding Judge  
Superior Court of California  
Hall of Justice  
600 Union Avenue  
Fairfield, CA 94533

RE: ACCEPTANCE OF 2010 -2011 SOLANO COUNTY GRAND JURY FINAL REPORT

Dear Judge Daniels:

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 and response procedures, the City Council of the City of Benicia accepts the Report.

**Finding 3-Property of a local agency that remains unclaimed in its treasury or in the official custody of its officers for three years is the property of the local agency after notice. The following exceptions and/or weaknesses to Government Code requirements relating to notification, reporting timeframes, dollar amounts and accounting for unclaimed funds held by the city were noted:**

a. The following concerns were noted in the 2008 and 2009 public notification published in the newspaper.

1. The listing included items less than three years old, which do not meet the timing requirement to revert back to the city on the published date.
2. Under the Government Code, the published date the money becomes the property of the city should not be less than 45 days or more than 60 days from the first published notice in the newspaper. In both years the date was less than 45 days.
3. The 2009 notice did not include a dollar amount of the check.
4. The notices do not include the payee's name.

ELIZABETH PATTERSON, Mayor  
Members of the City Council  
ALAN M. SCHWARTZMAN, Vice Mayor . TOM CAMPBELL . MARK C. HUGHES . MIKE IOAKIMEDES

BRAD KILGER, City Manager  
TERI DAVENA, City Treasurer  
LISA WOLFE, City Clerk

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**Recommendation 3-**City management and staff should review California Government Code §§50050-50057 and incorporate processes and oversight to ensure compliance with legal requirements and evaluate whether current practices are in the best interest of their city.

**City's Response.** The City agrees and has made corrections to its procedures by adopting Administrative Instruction No. 25.

**Finding 4-As of February 22, 2011, several cities had not developed written policies and procedures regarding unclaimed money held by the city.**

**Recommendation 4-** City management and staff should prepare written policies and procedures covering unclaimed funds held in its official custody. They should ensure steps to comply with Government Code requirements pertaining to notification, reporting timeframes and amounts, claims processing, and accounting.

**City's Response.** The City agrees and has adopted Administrative Instruction No. 25.

**Finding 5-** A copy of the Unclaimed Monies List (checks) is not posted on several cities' websites.

**Recommendation 5-** The Unclaimed Monies List representing aged outstanding city issued checks should be posted to that city's website for the public to review.

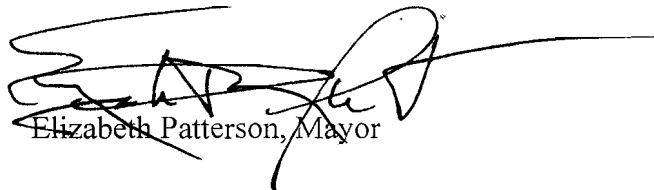
**City's Response.** The City agrees and has adopted Administrative Instruction No. 25.

**Finding 6-** As of February 22, 2011, some cities had not prepared written policies and procedures covering the claiming of items belonging to the city listed on the State of California's unclaimed property website.

**Recommendation 6-**City management and staff should prepare written policies and procedures covering the claims submission process. They should include establishing as appropriate schedule to perform the review on an annual basis (at a minimum), detailing the prescribed search criteria used in researching the State website to ensure applicable items are captured, and listing the accounting steps to post recoveries.

**City's Response.** The City agrees and has adopted Administrative Instruction No. 26.

Sincerely,



Elizabeth Patterson, Mayor

Cc: City Council  
City Manager  
City Attorney