

1 [Board response to the 2006-2007 Civil Grand Jury Report entitled “Risk Management: Are  
2 the Managers Managing the Risks of the City”]

3 **Resolution responding to the Presiding Judge of the Superior Court on the**  
4 **recommendations contained in the 2006-2007 Civil Grand Jury Report entitled “Risk**  
5 **Management: Are the Managers Managing the Risks of the City”.**

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7 WHEREAS, Under California Penal Code Section 933 et seq., the Board of  
8 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior  
9 Court on the recommendations contained in Civil Grand Jury Reports; and,

10 WHEREAS, In accordance with Penal Code Section 933.05(c), if a finding or  
11 recommendation of the Civil Grand Jury addresses budgetary or personnel matters of a  
12 county agency or a department headed by an elected officer, the agency or department head  
13 and the Board of Supervisors shall respond if requested by the Civil Grand Jury, but the  
14 response of the Board of Supervisors shall address only budgetary or personnel matters over  
15 which it has some decision making authority; and,

16 WHEREAS, The 2006-2007 Civil Grand Jury Report entitled “Risk Management: Are  
17 Managers Managing the Risks of the City” is on file with the Clerk of the Board of Supervisors  
18 in File No. 071017, which is hereby declared to be a part of this resolution as if set forth fully  
19 herein; and,

20 WHEREAS, Recommendation No. 1 of the subject Civil Grand Jury Report states: “The  
21 City should create a risk management program that conforms to best business practices, is  
22 highly developed, embraces technology-based risk management tools, and is applicable to all  
23 City departments”; and,

24 WHEREAS, Recommendation No. 3 states: “The Office of Risk Management must  
25 have the authority necessary to implement a citywide risk management program”; and,

1           WHEREAS, Recommendation No. 6 states: "The City should engage a consultant to  
2 review its current insurance program to determine whether the current plan of self insurance  
3 remains the most cost-effective plan of insurance, whether the City would benefit from the  
4 inclusion of other insurance such as excess insurance or insurance policies with a high self  
5 insured retention"; and,

6           WHEREAS, Recommendation No. 8 states: "The October 15, 1999, 'Judgement and  
7 Claims Report' from the Office of the Legislative Analyst, and the March 2001 'Review of  
8 Claims, Settlements, and Litigation Data for the City Departments' from the Budget Analyst for  
9 the Board of Supervisors should be reviewed and the recommendations contained therein  
10 implemented"; and,

11           WHEREAS, Recommendation No. 9 states: "In insuring against the liability risks of  
12 City-owned vehicles, the City should explore and compare the financial advantages of an  
13 insurance program consisting of (1) a commercial insurance package, (2) self-insurance, or  
14 (3) a combination of self and commercial insurance"; and,

15           WHEREAS, Recommendation No. 10 states: "The City should hold Heads of  
16 departments accountable for losses arising out of their respective departments"; and,

17           WHEREAS, in accordance with Penal Code Section 933.05(c), the Board of  
18 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior  
19 Court on the Recommendation Nos. 1, 3, 6, 8, 9, and 10 contained in the subject Civil Grand  
20 Jury report; now, therefore, be it

21           RESOLVED, That the Board of Supervisors reports to the Presiding Judge of the  
22 Superior Court that it agrees with Recommendation Nos. 1, 3, 6, 8, 9, and 10 of the 2006-  
23 2007 Civil Grand Jury Report entitled "Risk Management: Are Managers Managing the Risks  
24 of the City"; and be it

1           FURTHER RESOLVED, That the Board of Supervisors urges the Mayor to cause the  
2 implementation of accepted recommendations through his/her department heads and through  
3 the development of the annual budget; and, be it

4           FURTHER RESOLVED, That the Board of Supervisors urges City departments  
5 responsible for recommendations not necessitating a response from the Board of Supervisors  
6 to provide a status report to the Board of Supervisors on implementation of said  
7 recommendations within six months of the passage of this resolution.

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City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

Tails  
Resolution

File Number: 071225

Date Passed:

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "Risk Management: Are the Managers Managing the Risks of the City".

September 18, 2007 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 071225

I hereby certify that the foregoing Resolution was ADOPTED on September 18, 2007 by the Board of Supervisors of the City and County of San Francisco.

09/28/07

Date Approved

Angela Calvillo  
Clerk of the Board

Mayor Gavin Newsom