

1 [Board response to the 2007-2008 Civil Grand Jury Report entitled "Fits and Starts: The
2 Response of San Francisco Government to Past Civil Grand Jury Recommendations"]

3 **Resolution responding to the Presiding Judge of the Superior Court on the**
4 **recommendations contained in the 2007-2008 Civil Grand Jury Report entitled "Fits and**
5 **Starts: The Response of San Francisco Government to Past Civil Grand Jury**
6 **Recommendations".**

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

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

17 WHEREAS, The 2007-2008 Civil Grand Jury Report entitled "Fits and Starts: The
18 Response of San Francisco Government to Past Civil Grand Jury Recommendations" is on
19 file with the Clerk of the Board of Supervisors in File No. 080924, which is hereby declared to
20 be a part of this resolution as if set forth fully herein; and,

21 WHEREAS, Recommendation No. 1 of the subject Civil Grand Jury Report states: "As
22 a standard practice, the Office of the Mayor should include in its annual budget instructions a
23 request of each affected department to address Civil Grand Jury instructions in their budget
24 proposals. Also the Board should follow up by not approving budgets unless these
25 recommendations are addressed"; and

1 WHEREAS, Recommendation No. 2 states: "In the discussion of the 2008-2009
2 Budget, the Board of Supervisors should address the budget items with which they concurred
3 in October 2007, as enumerated in Appendix A [of the subject Civil Grand Jury report]"; and

4 WHEREAS, Recommendation No. 4 states: "The Office of the Mayor and the Board of
5 Supervisors should follow up with the Department of Building Inspection to make certain that
6 questions of seismic safety are addressed at all designated City operation centers"; and

7 WHEREAS, Recommendation No. 7 states: "The Jury supports the proposed
8 legislation (file number 080323) which would amend the San Francisco Police Code and
9 Business and Tax Regulation Code to give Entertainment Commission staff limited authority
10 to cite and suspend permits, and encourages the Board of Supervisors to pass it"; and

11 WHEREAS, Recommendation No. 8 states: "The Entertainment Commission should
12 issue its annual report for the past year immediately. The Jury believes that all commissions
13 should make such reports, and that the Mayor and Board should review them critically.
14 Without this basic level of oversight, the citizens of the City cannot be assured these entities
15 are fulfilling their intended purposes"; and

16 WHEREAS, Recommendation No. 9 states: "A full-time, permanent position should be
17 added to the staff at the Entertainment Commission specifically to promote use of City-owned
18 facilities for revenue-generating events"; and

19 WHEREAS, Recommendation No. 10 states: "The Office of the Mayor and the Board of
20 Supervisors not only should ask at budget time but also require a routine report from the
21 Police Department that shows trend data regarding civilian employment progress"; and

22 WHEREAS, Recommendation No. 11 states: "The Office of the Mayor and the Board of
23 Supervisors should include in their review of City budgets each department's loss run history
24 to be provided on a timely and consistent basis by the City Attorney. This discussion would
25 include a mandate for each department to work with Risk Management personnel in analyzing

1 its history and participating in risk management planning to develop a loss prevention
2 program"; and

3 WHEREAS, in accordance with Penal Code Section 933.05(c), the Board of
4 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior
5 Court on Recommendations Nos. 1, 2, 4, 7, 8, 9, 10 and 11 contained in the subject Civil
6 Grand Jury report; now, therefore, be it

7 RESOLVED, That the Board of Supervisors reports to the Presiding Judge of the
8 Superior Court that it agrees with Recommendation Nos. 2, 4, 8 and 10 of the 2007-2008 Civil
9 Grand Jury Report entitled "Fits and Starts: The Response of San Francisco Government to
10 Past Civil Grand Jury Recommendations"; and be it

11 FURTHER RESOLVED, That the Board of Supervisors reports that it disagrees
12 partially with Recommendation Nos. 1 and 11, as follows:

- 13 - The Mayor's office does not agree to Recommendation 1, however the Board of
14 Supervisors may request such information during Budget Committee hearings; and
15 - Funding issues need to be addressed regarding Recommendation 11; and, be it

16 FURTHER RESOLVED, That the Board of Supervisors reports that it will continue to
17 take public comment on Recommendation Nos. 7 (file number 080323) and 9; and, be it

18 FURTHER RESOLVED, That the Board of Supervisors urges the Mayor to cause the
19 implementation of accepted recommendations through his/her department heads and through
20 the development of the annual budget.



City and County of San Francisco

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San Francisco, CA 94102-4689

Tails

Resolution

File Number: 081091

Date Passed:

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2007-2008 Civil Grand Jury Report entitled "Fits and Starts: The Response of San Francisco Government to Past Civil Grand Jury Recommendations".

October 7, 2008 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell,
Mirkarimi, Peskin, Sandoval

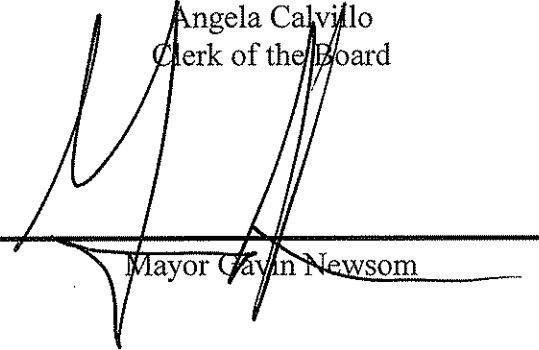
Excused: 1 - McGoldrick

File No. 081091

I hereby certify that the foregoing Resolution was ADOPTED on October 7, 2008 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board



Mayor Gavin Newsom

10/15/2008

Date Approved