

1 [Board Response - Civil Grand Jury Report - Come Hell or High Water: Flood Management in  
2 a Changing Climate]

3 **Resolution responding to the Presiding Judge of the Superior Court on the findings**  
4 **and recommendations contained in the 2023-2024 Civil Grand Jury Report, entitled**  
5 **“Come Hell or High Water: Flood Management in a Changing Climate,” and urging the**  
6 **Mayor to cause the implementation of accepted findings and recommendations**  
7 **through her department heads and through the development of the annual budget.**  
8

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

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

18 WHEREAS, Under San Francisco Administrative Code, Section 2.10(a), the Board of  
19 Supervisors must conduct a public hearing by a committee to consider a final report of the  
20 findings and recommendations submitted, and notify the current foreperson and immediate  
21 past foreperson of the Civil Grand Jury when such hearing is scheduled; and

22 WHEREAS, In accordance with San Francisco Administrative Code, Section 2.10(b),  
23 the Controller must report to the Board of Supervisors on the implementation of  
24 recommendations that pertain to fiscal matters that were considered at a public hearing held  
25 by a Board of Supervisors Committee; and

1 WHEREAS, The 2023-2024 Civil Grand Jury Report, entitled "Come Hell or High  
2 Water: Flood Management in a Changing Climate," ("Report") is on file with the Clerk of the  
3 Board of Supervisors in File No. 240668, which is hereby declared to be a part of this  
4 Resolution as if set forth fully herein; and

5 WHEREAS, The Civil Grand Jury has requested that the Board of Supervisors respond  
6 to Finding Nos. F1, F3, F4, F5, and F6 as well as Recommendation Nos. R1.4, R3.2, R4.1,  
7 R5.1, R6.2, and R6.3 contained in the subject Report; and

8 WHEREAS, Finding No. F1 states: "ClimateSF Governance and Coordination Are  
9 Inadequate;" and

10 WHEREAS, Finding No. F3 states: "Funding of Climate Resilience Is Hampered by  
11 Debt Cap and Service Rate Constraints;" and

12 WHEREAS, Finding No. F4 states: "Flood Management Needs Interdepartmental  
13 Coordination;" and

14 WHEREAS, Finding No. F5 states: "Flood Damage Claims Are Not Funded by  
15 Insurance;" and

16 WHEREAS, Finding No. F6 states: "The City Fails to Communicate Impacts of Climate  
17 Change;" and

18 WHEREAS, Recommendation No. R1.3 states: "Beginning 2025, ClimateSF shall  
19 prepare an annual report for the public, summarizing the status of the ongoing climate  
20 resilience projects, using standardized metrics, including a description of the project, the Core  
21 agency in charge, the intended climate resilience measures, a projected cost, budget status  
22 and project timeline. This recommendation may and should be implemented administratively;"  
23 and  
24  
25

1           WHEREAS, Recommendation No. R1.4 states: “If Recommendation 1.3 is not  
2 implemented administratively, the Board of Supervisors shall enact an ordinance making the  
3 annual report a legal requirement;” and

4           WHEREAS, Recommendation No. R3.2 states: “By December 31, 2024, the Board of  
5 Supervisors shall direct their Budget and Legislative Analyst to do an analysis of the impact  
6 on the city’s General Fund of increasing the current limit for General Obligation Bonds;” and

7           WHEREAS, Recommendation No. R4.1 states: “By December 31, 2024, the Mayor  
8 and the Board of Supervisors shall request a report from the City Administrator, as Floodplain  
9 Administrator, on the optimal governance structure (for example, CPC, Deputy City  
10 Administrator, Floodplain Administrator) to implement interdepartmental flood adaptation  
11 procedures;” and

12           WHEREAS, Recommendation No. R5.1 states: “By December 31, 2024, the Board of  
13 Supervisors shall request a Budget and Legislative Analyst report on the advisability of a  
14 Board resolution urging modification of the federal mandate to purchase flood insurance  
15 beyond that which is currently required in the FEMA designated floodplain;” and

16           WHEREAS, Recommendation No. R6.2 states: “By December 31, 2024, the Board of  
17 Supervisors shall direct their Budget and Legislative Analyst to prepare a financial analysis of  
18 the possible differential harms of climate change resilience projects within marginalized  
19 communities;” and

20           WHEREAS, Recommendation No. R6.3 states: “By December 31, 2025, the Board of  
21 Supervisors shall hold annual public hearings on the differential harms of climate change  
22 resilience projects within the impacted communities with testimony from the Department of the  
23 Environment and the Human Rights Commission;” and

24           WHEREAS, In accordance with California Penal Code, Section 933.05(c), the Board of  
25 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior

1 Court on Finding Nos. F1, F3, F4, F5, and F6 as well as Recommendation No. R1.4, R3.2,  
2 R4.1, R5.1, R6.2, and R6.3, contained in the subject Report; now, therefore, be it

3 RESOLVED, That the Board of Supervisors reports to the Presiding Judge of the  
4 Superior Court that they \_\_\_\_\_ with Finding No. F1 for the following reasons:  
5 \_\_\_\_\_; and, be it

6 FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge  
7 of the Superior Court that they \_\_\_\_\_ with Finding No. F3 for the following reasons:  
8 \_\_\_\_\_; and, be it

9 FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge  
10 of the Superior Court that they \_\_\_\_\_ with Finding No. F4 for the following reasons:  
11 \_\_\_\_\_; and, be it

12 FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge  
13 of the Superior Court that they \_\_\_\_\_ with Finding No. F5 for the following reasons:  
14 \_\_\_\_\_; and, be it

15 FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge  
16 of the Superior Court that they \_\_\_\_\_ with Finding No. F6 for the following reasons:  
17 \_\_\_\_\_; and, be it

18 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation  
19 No. R1.4 \_\_\_\_\_; and, be it

20 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation  
21 No. R3.2 \_\_\_\_\_; and, be it

22 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation  
23 No. R4.1 \_\_\_\_\_; and, be it

24 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation  
25 No. R5.1 \_\_\_\_\_; and, be it

1 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation  
2 No. R6.2 \_\_\_\_\_; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation  
4 No. R6.3 \_\_\_\_\_; and, be it

5 FURTHER RESOLVED, That the Board of Supervisors urges the Mayor to cause the  
6 implementation of the accepted findings and recommendations through her department heads  
7 and through the development of the annual budget.