

AMENDED IN COMMITTEE  
10/10/2013

FILE NO. 130687

RESOLUTION NO. *379-13*

1 [Board Response - Civil Grand Jury Report - "Building a Better Future at the Department of  
2 Building Inspection"]

3 **Resolution responding to the Presiding Judge of the Superior Court on the findings**  
4 **and recommendations contained in the 2012-2013 Civil Grand Jury Report entitled**  
5 **"Building a Better Future at the Department of Building Inspection;" and urging the**  
6 **Mayor to cause the implementation of accepted findings and recommendations**  
7 **through his/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 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, The 2012-2013 Civil Grand Jury Report entitled "Building a Better Future  
19 at the Department of Building Inspection (DBI)" is on file with the Clerk of the Board of  
20 Supervisors in File No. 130687, which is hereby declared to be a part of this resolution as if  
21 set forth fully herein; and

22 WHEREAS, The Civil Grand Jury has requested that the Board of Supervisors respond  
23 to Finding Nos. 1, 5, and 6 as well as Recommendations 1.1, 1.2, 5.1, 6.1, and 6.2 contained  
24 in the subject Civil Grand Jury report; and

1           WHEREAS, Finding No. 1 states: "The revolving door of DBI leadership has adversely  
2 affected the Department's ability to develop and execute a strategic plan and to implement the  
3 recommendations of the 2007 Business Process Reengineering Report (BPR);" and

4           WHEREAS, Finding No. 5 states: "Many issues that the Jury found would have been  
5 ameliorated by tighter and more active oversight by the Building Inspection Commission  
6 (BIC);" and

7           WHEREAS, Finding No. 6 states: "DBI's code enforcement policies and practices have  
8 resulted in a backlog of unresolved violations;" and

9           WHEREAS, the Recommendation No. 1.1 states: "The DBI management should retain  
10 a consultant to update the 2007 BPR findings and recommendations and present the findings  
11 to BIC and the DBI Director;" and

12           WHEREAS, the Recommendation No. 1.2 states: "The BIC and DBI Director should  
13 develop a detailed action plan with firm due dates for implementing BPR report  
14 recommendations that the consultant identifies as not completed;" and

15           WHEREAS, the Recommendation No. 5.1 states: "The Board of Supervisors should  
16 hold a hearing within six months of the release of this report by the 2012-2013 Jury to see if  
17 BIC has taken action on the issues raised;" and

18           WHEREAS, the Recommendation No. 6.1 states: "The DBI should establish  
19 performance standards for resolving code violations within designated time frames (for  
20 example, closing 75 percent of Notices of Violation within six months and 95 percent within 12  
21 months of when they are issued). The performance standards should be reviewed and  
22 approved by BIC in public session;" and

23           WHEREAS, the Recommendation No. 6.2 states: "The DBI should develop monthly  
24 management reports for BIC that monitor the Department's performance against BIC-  
25 approved performance standards for resolving building code violations;" and

1           WHEREAS, in accordance with Penal Code Section 933.05(c), the Board of  
2 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior  
3 Court on Finding Nos. 1, 5, and 6 as well as Recommendations 1.1, 1.2, 5.1, 6.1, and 6.2  
4 contained in the subject Civil Grand Jury report; now, therefore, be it

5           RESOLVED, That the Board of Supervisors reports to the Presiding Judge of the  
6 Superior Court that it partially disagrees with Finding 1 for reasons as follows: while the  
7 leadership change hasn't been the only cause DBI's ability to develop and execute a strategic  
8 plan and to implement Finding No. 1, other reported issues have also prevented the DBI from  
9 developing and implementing a strategic plan and from implementing the recommendations of  
10 the 2007 Business Process Reengineering Report; and, be it

11          FURTHER RESOLVED, That the Board of Supervisors reports that it partially  
12 disagrees with Finding 5 for reasons as follows: there are other issues that are also  
13 preventing the improvement of the reported issues, while tighter and more active oversight by  
14 the BIC would have helped ameliorate some issues; and, be it

15          FURTHER RESOLVED, That the Board of Supervisors reports that it partially  
16 disagrees with Finding 6 for reasons as follows: seeing that there are two divisions affected by  
17 this finding, the problems facing the backlog of unresolved building code violations are unique  
18 to Building Code enforcement while the House Code enforcement division has been  
19 functioning well; and, be it

20          FURTHER RESOLVED, That the Board of Supervisors reports that it has not  
21 implemented, but it will implement Recommendation 1.1 within six months of the publication of  
22 the Civil Grand Jury report, from July 2, 2013 to no later than January 2, 2014; and, be it

23          FURTHER RESOLVED, That the Board of Supervisors reports that it has not  
24 implemented, but it will implement Recommendation 1.2 within six months of the publication of  
25 the Civil Grand Jury report, from July 2, 2013 to no later than January 2, 2014; and, be it

1 FURTHER RESOLVED, That the Board of Supervisors reports that it has not  
2 implemented, but it will implement Recommendation 5.1 within six months of the publication of  
3 the Civil Grand Jury report, from July 2, 2013 to no later than January 2, 2014; and, be it

4 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation  
5 6.1 has been implemented; and, be it

6 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation  
7 6.2 has been implemented; and, be it

8 FURTHER RESOLVED, That the Board of Supervisors urges the Mayor to cause the  
9 implementation of accepted findings and the recommendation through his/her department  
10 heads and through the development of the annual budget.

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



City and County of San Francisco  
**Tails**  
**Resolution**

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

**File Number:** 130687

**Date Passed:** October 22, 2013

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2012-2013 Civil Grand Jury Report entitled "Building a Better Future at the Department of Building Inspection;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget.

October 10, 2013 Government Audit and Oversight Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

October 10, 2013 Government Audit and Oversight Committee - RECOMMENDED AS AMENDED

October 22, 2013 Board of Supervisors - ADOPTED

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang and Yee

Excused: 2 - Kim and Wiener

File No. 130687

I hereby certify that the foregoing Resolution was ADOPTED on 10/22/2013 by the Board of Supervisors of the City and County of San Francisco.

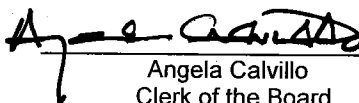
  
\_\_\_\_\_  
Angela Calvillo  
Clerk of the Board

\_\_\_\_\_  
Unsigned  
Mayor

\_\_\_\_\_  
11/01/13  
Date Approved

Date: November 1, 2013

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

  
\_\_\_\_\_  
Angela Calvillo  
Clerk of the Board