

1 [Board Response to the 2010-2011 Civil Grand Jury Report Entitled "Central Subway Too  
2 Much Money for Too Little Benefit"]

3 **Resolution responding to the Presiding Judge of the Superior Court on the findings**  
4 **and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled**  
5 **"Central Subway Too Much Money for Too Little Benefit" and urging the Mayor to**  
6 **cause the implementation of accepted findings and recommendations through his/her**  
7 **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 2010-2011 Civil Grand Jury Report entitled "Central Subway Too  
19 Much Money for Too Little Benefit" is on file with the Clerk of the Board of Supervisors in File  
20 No. 110817 which is hereby declared to be a part of this resolution as if set forth fully herein;  
21 and

22 WHEREAS, The Civil Grand Jury has requested that the Board of Supervisors respond  
23 to Findings Nos. 3, 4, 5, 6, 11, and 12, as well as Recommendation Nos. 3, 4 and 8 contained  
24 in the subject Civil Grand Jury report; and

1           WHEREAS, Finding No. 3 states: "Muni is not providing adequate service to its  
2 customers;" and,

3           WHEREAS, Recommendation No. 3 states: "Either the City and San Francisco  
4 Municipal Transportation Agency (SFMTA) need to increase Muni's funding, or the City and  
5 SFMTA need to lower their expectations for Muni's performance;" and

6           WHEREAS, Finding No. 4 states: "Muni has had financial troubles in recent years and,  
7 absent an unforeseen windfall, will continue to have financial troubles in the foreseeable  
8 future;" and

9           WHEREAS, Finding No. 5 states: "Given the current and projected state of Muni's  
10 funding, difficult times lie ahead. This will impact the agency's ability to deliver the level of  
11 performance demanded by the charter;" and

12           WHEREAS, Finding No. 6 states: "Raising passenger fares can only have a minimal  
13 impact on Muni's financial shortfalls;" and

14           WHEREAS, Recommendation No. 4 states: "The SFMTA should hire an outside  
15 auditor to evaluate the potential gains in revenue brought by higher fares against the potential  
16 loss in total ridership due to such higher prices;" and

17           WHEREAS, Finding No. 11 states: "Following the manufacturer's suggested preventive  
18 maintenance program is inadequate for maintaining Muni's fleet. This inadequate preventive  
19 maintenance negatively impacts Muni's ability to properly serve its riders;" and

20           WHEREAS, Finding No. 12 states: "Mid-life overhauls are not enough to properly  
21 maintain Muni's fleet. Targeted component rebuilds are essential to their maintenance;" and

22           WHEREAS, Recommendation No. 8 states: "The Board of Supervisors, San Francisco  
23 County Transportation Authority (SFCTA), and SFMTA should determine how to fund  
24 adequate preventive maintenance and a targeted component rebuild program on an ongoing  
25 basis;" 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. 3, 4, 5, 6, 11, and 12, as well as Recommendation Nos. 3, 4 and 8  
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 agrees with Finding Nos. 3, 4, 5, 6, 11, and 12; and be it

7           FURTHER RESOLVED, That the Board of Supervisors reports that it agrees with  
8 Recommendation Nos. 3 and 8; and be it

9           FURTHER RESOLVED, That the Board of Supervisors reports that it disagrees with  
10 Recommendation No. 4; and be it

11           FURTHER RESOLVED, That the Board of Supervisors urges the Mayor to cause the  
12 implementation of accepted findings and recommendations through his/her department heads  
13 and through the development of the annual budget.



City and County of San Francisco

Tails

Resolution

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

File Number: 110818

Date Passed: November 08, 2011

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled "Central Subway Too Much Money for Too Little Benefit" 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 27, 2011 Government Audit and Oversight Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

October 27, 2011 Government Audit and Oversight Committee - RECOMMENDED AS AMENDED

November 08, 2011 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi and Wiener

File No. 110818

I hereby certify that the foregoing Resolution was ADOPTED on 11/8/2011 by the Board of Supervisors of the City and County of San Francisco.

Handwritten signature of Angela Calvillo

Angela Calvillo
Clerk of the Board

UNSIGNED

Mayor Edwin Lee

11-18-11

Date Approved

Date: November 18, 2011

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, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Handwritten signature of Angela Calvillo
Clerk of the Board

File No.
110818