

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

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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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