

1 [Board Response - Civil Grand Jury Report - Pedestrian Safety in the Era of Electric Mobility  
2 Devices]

3 **Resolution responding to the Presiding Judge of the Superior Court on the findings**  
4 **and recommendations contained in the 2018-2019 Civil Grand Jury Report, entitled**  
5 **“Pedestrian Safety in the Era of Electric Mobility Devices;” 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.**

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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 2018-2019 Civil Grand Jury Report, entitled “Pedestrian Safety in the  
2 Era of Electric Mobility Devices” (“Report”) is on file with the Clerk of the Board of Supervisors  
3 in File No. 190789, which is hereby declared to be a part of this Resolution as if set forth fully  
4 herein; and

5           WHEREAS, The Civil Grand Jury has requested that the Board of Supervisors respond  
6 to Finding No. F7, as well as Recommendation No. R6, contained in the subject Report; and

7           WHEREAS, Finding No. F7 states: “A key obligation of the Pedestrian Safety Advisory  
8 Committee (PSAC) is to prepare and submit annual reports to the Board of Supervisors  
9 (BOS). These reports are to include pedestrian injury and fatality statistics and root cause  
10 analysis, to recommend changes in policies, funding and enforcement. PSAC has not  
11 prepared or submitted an annual report since 2011;” and

12           WHEREAS, Recommendation No. R6 states: “The Board of Supervisors should allow  
13 the Public Safety Advisory Committee to terminate on October 1, 2019 as designated in the  
14 San Francisco Municipal Code;” and

15           WHEREAS, In accordance with California Penal Code, Section 933.05(c), the Board of  
16 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior  
17 Court on Finding No. F7, as well as Recommendation No. R6, contained in the subject  
18 Report; now, therefore, be it

19           RESOLVED, That the Board of Supervisors reports to the Presiding Judge of the  
20 Superior Court that they partially disagree with Finding No. F7 for reason as follows:  
21 annual reports were prepared by the Pedestrian Safety and Advisory Committee  
22 for 2012, 2013, 2014, and 2018; and, be it

23           FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation  
24 No. R6 will not be implemented because the recommendation is unwarranted or  
25 unreasonable, in light of the Pedestrian Safety Advisory Committee's progress over the last

1 year in addressing quorum issues, the ongoing declared state of emergency for pedestrian  
2 safety, and that the Pedestrian Safety Advisory Committee is the sole advisory body reporting  
3 to the Board on this crucial issue, the Board of Supervisors intends to extend the sunset date  
4 for the committee for an additional year, during which time the committee is advised to review  
5 and recommend changes in its structure to improve its efficacy going forward; and, be it

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

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